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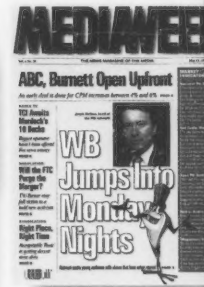
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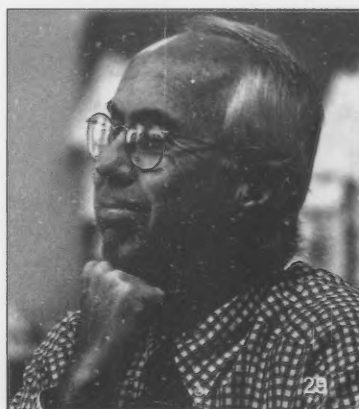
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The Only Constant Is Change

With the new year we report several changes at the *Columbia Journalism Review*. After eight years as editor of CJR, Suzanne Braun Levine has resigned. With the next issue, she will be succeeded by Marshall Loeb, editor, author, broadcast commentator, and columnist for *Fortune* magazine.

In her tenure Suzanne has led the magazine to new visibility, credibility, and influence in journalism. She introduced new features, attracted new writers, strengthened the magazine's franchise, and reaffirmed its commitment to quality and excellence in journalism. We thank her for her years of service and dedication, and wish her well in the future.

Marshall Loeb is one of journalism's most highly respected editors and writers, celebrated in the business for his energy and creativity. As managing editor of *Money* and then of *Fortune*, he lifted both magazines to new peaks of performance. We welcome him, and look forward to continuing to tackle the challenging editorial and economic issues confronting journalism and to CJR's becoming even more urgent, relevant, and useful.

In yet another change, I am stepping down as dean of the Graduate School of Journalism at the end of this semester after eight and one half years. I will enthusiastically continue at Columbia as publisher of CJR and as a faculty member of the school.

As has been said before, there is only one constant in life and that is change. But change in life and in the life of an institution invites a moment of reflection.

As dean of the school, I have enjoyed many burdens, but I have also suffered many privileges, none more than being asked my opinion on just about anything. I grew up at a time when no one listened to children, came of age at a time when no one listened to women, and then went into the news business where no one listens to anyone.

Then after twenty-eight years as a reporter, writer, and television producer, I became a dean, and overnight, it seemed, I was an expert. People, mostly other journalists, were asking my opinion on everything, not just about journalism. Of course, I could never admit that I didn't have one, and so by now I have committed many opinions.

On the occasion of Walter Cronkite's eightieth birthday last month, I was asked: How is it that Walter Cronkite was the most trusted man in America in his day, and today surveys tell us that the only people less trusted than journalists are used-car salesmen and members of Congress?

I actually had an opinion on that question, because the answer, at least in part, is "change" and on that, every journalist is expert. Change is our beat.

Since Uncle Walter's time, the news business has changed. Megamergers and megamoguls have shifted the always delicate balance between the pursuit of profits and the pursuit of truth. Many journalists now must sell the news as well as tell the news.

The technology of communications has changed. With the advent of cable, satellites, and computers, news sources have proliferated so that today we have some half-dozen competing twenty-four-hour news channels, not to mention the twenty-four-hour Internet with updates and deadlines every second, sometimes minus either sources or editors.

And journalism itself has changed. News organizations and some journalists have transformed from their traditional role as watchdogs of power into institutions of power themselves with an ability, indeed, a susceptibility, to abuse that power.

Finally, the public has changed. People have grown more knowledgeable — in large part thanks to the news media — and more cynical, undoubtedly because of the more aggressive and, too often, less civil behavior of journalists. The public has morphed from its historic mistrust of government and power, dating back to our revolutionary roots, to today when there is public mistrust of all authority, including the news media. Even if they looked avuncular, Uncle Dan or, for that matter, Aunt Diane would not be cool today (or would sound dissonant today).

For thirty-five years, CJR has been tracking change in our business even as it has been changing itself. The magazine's continued existence has defied marketplace odds, like most magazines of ideas which follow the polestar of principle, not profits. CJR's vitality is testament to the thousands of working journalists — editors, writers, reporters, producers, publishers, broadcasters, and webmasters — who turn to our pages because they care. They care about journalism. They care about standards, ethics, performance, and the pursuit of ideals like excellence and truth. As important, CJR owes its financial fortitude to the health and independence of the Graduate School of Journalism and to funders who put their money where there values are.

If not in life, or journalism, there is at least one constant at the *Columbia Journalism Review*, and that is the magazine's commitment to its mission as stated in the founding editorial: "To assess the performance of journalism, to help stimulate continuing improvement of the profession, and to speak out for what is right, fair, and decent."

Even as the journalism changes, and the magazine changes, we look forward to continuing to fulfill that mission in this and every issue.

LETTERS

TAKING ONE ON THE COLLAR

In his cover story for your November/December issue, "Can James Fallows Practice What He Preaches?" Mike Hoyt makes a comment about me, as Jim's wife, that I'd like to correct.

Hoyt says that I was "legitimately colared" by Howard Kurtz in a *Washington Post* story for "taking freebies" while researching an article about health spas for *The Atlantic Monthly*.

In fact, I myself began my article by disclosing that I visited the spas "courtesy of the owners." I was following the original and long-standing policy of *The Atlantic Monthly*, which the magazine proposed to me when assigning this piece. This policy is to accept certain travel benefits gratis, since otherwise the cost of reporting these stories would be prohibitive, and to disclose that arrangement clearly in each travel article itself. Among magazines that cover travel, the most unusual aspect of the *Atlantic's* policy is its insistence on full disclosure.

For years and years the *Atlantic* has run such articles containing such disclosures. I found it more than coincidental that Kurtz chose to notice and write about this only when it involved me, and only last summer, just when my husband (with whom I share a last name, under which I write) was announced as the (controversial) new editor of *U.S. News & World Report*. I found it disappointing that Hoyt told this story about me without describing the *Atlantic's* policies, my disclosures, or Kurtz's sense of timing, and without making any attempt to ask me about the situation.

I will take this hit for the team, but not without setting the record straight.

DEBORAH FALLOWS
Washington, D.C.

Mike Hoyt replies: *I wish I had emphasized that Atlantic travel writers have taken freebies for years and that Kurtz noticed the phenomenon only after someone named Fallows took them, just nine days after it had been announced that James Fallows would be the new editor at U.S. News. Still,*

the Atlantic policy seems to me to be way less than ideal, even when, as Kurtz made clear, it is disclosed to the reader. So the collar seems legit.

SCREWUPS, AND MORE

As someone who spent a large part of a career in journalism covering child welfare, and later helped organize a small, all-volunteer advocacy group, I am grateful to Michael Shapiro for his thoughtful, reasoned perspective ("The Lives We Would Like to Set Right," November/December), and to *CJR* for printing it.

Unintentionally, however, I think he has replaced one stereotype of parents involved in the system — the "psychotic and evil" parent — with another, what he calls the "screwups."

The single father with heart disease who can't get a full-time job and loses his children when the house gets messy and the utilities are cut off is not a "screwup." The mother who flees with the children from an abusive husband, then seeks financial help to get on her feet, only to have her children taken on a "neglect" charge, is not a "screwup." The mother who loses her children for five years because she doesn't have adequate housing — while the abusive father does — is not a "screwup." All of these are cases I encountered in my own reporting on child welfare.

Shapiro says any "minimally competent" parent can "perform such rudimentary tasks as making sure their children are regularly fed, in bed at night, and up for school in the morning, and that they are kept clean, dressed, and, most important, safe."

But if a computer error has just cut off your food stamps, keeping your child fed is not so "rudimentary." If you are working two jobs to stay off welfare and sleeping with the lights on to keep the rats at bay, getting the children up for school in the morning becomes a lot harder. If there is no running water, it's not so easy to keep the children clean. And if the landlord won't repair exposed wiring, provide heat, or fix

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the gaping holes in the floor and ceiling, it will take a lot more than minimal competence to keep the children safe.

Our foster homes are filled with children like these, where they take places that should be saved for the children who really can't be protected in their own homes.

Of course, most people are neither all victim nor all screwup. They are all too human. And it's obvious from his careful, humane approach that Shapiro is one of the few writers examining child welfare to recognize this. But ambiguous cases take time to describe and to discuss — and rarely is there space for that in letters columns, or in news columns.

Perhaps that tells us something about why so much coverage of child welfare leaves so much to be desired.

RICHARD WEXLER
Alexandria, Va.

As usual, I find CJR a respite from the craft. However, I feel compelled to respond to Michael Shapiro's article, "The Lives We Would Like to Set Right." I believe he is guilty of the very sin from which he seeks to save reporters of the child welfare system; he should be asking better questions that "illuminate."

Primarily, he fails to address the privacy laws designed to protect the children but which instead shield bad policy and bad public administrators along with the host of individual horrors that result. The greatest hurdle in reporting on child welfare is not our "journalistic outrage" but rather a public system sealed off from public scrutiny. The most common responses to any inquiry at a child welfare office or court are, "We are not allowed to talk about individual cases." "The files are not public." "We cannot tell you that."

In the infanticide of Joseph Wallace, there were several public servants threatened with prosecution for going public with details of the crime and the child welfare agency's role. Without these brave news sources, the story would never have surfaced. Their information revealed that the Joseph Wallace case was not the result of benign neglect by an indifferent agency. No, Joseph Wallace died because case workers lied about the condition of the home, lied about checking on his condition, and ignored glaring signs of abuse. When the woman who was foster parent to Joseph's surviving brother spoke out about failures in Chicago's child welfare system, she was threatened with losing her foster children.

The true story of child welfare and the

perspective this issue sorely needs is locked in file cabinets in every state of this country. Only when we gain access will the framing of our questions produce valuable insight. Until then, we can do little but report the shocking details of the few horrible cases that surface. And administrators can continue to hide behind the law.

PATRICK WEILAND
Producer
NBC News
New York, N.Y.

DART FOR A LAUREL

For a publication which purports: "To assess the performance of journalism . . . to help stimulate continuing improvements in the profession, and to speak out for what is right, fair, and decent," CJR has fallen woefully short of the mark itself in your obviously biased slam against Minister Louis Farrakhan ("Darts & Laurels," November/December).

Following the Baltimore *Sun* report on slavery in the Sudan your November "Laurel" went beyond simply commending that newspaper into an attack on Muslims in America. In your frenzy to try to make Minister Farrakhan, the Nation of Islam, and *The Final Call* look bad, you ignore some of the most important reports/reactions subsequent to that series.

As a part of your tawdry scheme, your "Laurel" quotes from a clearly labeled "Perspectives" piece in *The Final Call* (July 16, 1996) by the President of Jamaat Al-Muslimeen International, who is not affiliated with the Nation of Islam, and is not a staff writer (or even a regular columnist) for *The Final Call*. Your "Laurel" exposes your obvious anti-Islamic, anti-black bias, by ignoring many ongoing developments regarding that major story in order to peddle your predetermined anti-Farrakhan line in print.

In a single, parenthetical statement, you slander Minister Farrakhan three times: You say "Farrakhan, by the way, has refused to accept the findings of the series." Then, in the same sentence (inferring that the next clause separated only by a semicolon still refers to the Muslim leader) you say that "the Nation of Islam newspaper, *The Final Call*, has dismissed the *Sun* itself as a 'Zionist Jewish daily.'" Finally, you refer to his speech two months later at the National Association of Black Journalists conference, which is totally unrelated to the "Witness to Slavery" series, except that Minister Farrakhan [scolded the black reporters for

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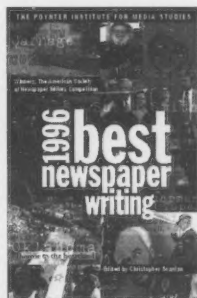
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being slaves to the white-owned press] in his NABJ address.

An article in our July 23, 1996 edition (appearing the week after your falsely and maliciously attributed quote from Dr. Kaubab Siddique's clearly labeled opinion piece appeared) accurately reported what Minister Farrakhan had to say about the *Sun* newspaper and the series. Furthermore, you ignore the interview on Howard University television station WHMM-TV32 wherein I appeared with both authors and extended an invitation on behalf of Minister Farrakhan to Messrs. Kane and Lewthwaite to be a part of the ["more reliable"] team [of Christians and Muslims] he refers to in the article which should return to Sudan to "verify" their findings.

Your report clearly ignores all exculpatory information, stacking the deck instead with your indictment, attributing a clearly labeled "perspective" article as the opinion of the NOI and *The Final Call*, of which Minister Farrakhan is the publisher.

Minister Farrakhan's address to the NABJ conference was the subject of many columns, commentaries, and opinion articles. For CJR to toss it into your sophistic "Darts & Laurels" report on him does a disservice to all those serious analyses of the NABJ conference and his speech to it. It also exposes the shallow attention paid by white-owned media outlets such as yours to serious concerns of African-American journalists.

You must think that Minister Farrakhan is a punching bag which you can editorially tee off on at will and without rejoinder. You are sadly mistaken. In 1647 Baltasar Gracian wrote in *The Art of Worldly Wisdom*: "A single lie destroys a whole reputation for integrity." For the twenty-five years I have known Minister Farrakhan and his mentor The Honorable Elijah Mohammad, I have seen respect for them increase in the face of all manner of cheap media attacks and lies such as those contained in your publication. If Gracian's words have stood true for 339 years, then I am certain in this instance their indictment condemns *Columbia Journalism Review* and not the Muslim leader, or *The Final Call*.

ASKIA MUHAMMAD
Washington bureau chief
The Final Call
Washington, D.C.

The editors reply: *To be technically correct, the Dart should have attributed the "Zionist Jewish daily" quotation to an article in the Nation of Islam paper, The Final Call. However, CJR's assumption that the*

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article reflected the position of the Nation of Islam and its newspaper is perhaps understandable, considering the fact that, in an appearance on PBS's Tony Brown's Journal, Akbar Muhammad, spokesman for Louis Farrakhan, leader of the Nation of Islam — and publisher of The Final Call — dismissed charges of slavery in the Sudan as "a Jewish conspiracy."

TARGET LIST

Your generally accurate profile of FAIR ("Watchdog Watch," November/December) may unfortunately convey a misimpression about the primary targets of our criticism. Under the "selected bêtes noires" heading, you list only Rush Limbaugh, Pat Buchanan, and Bob Grant.

While it's true that FAIR has shined a spotlight on the disinformation and bigotry emanating from right-wing pundits on TV and talk radio, we spend far more time and energy exposing the errors and biases of mainstream news outlets of the corporate center: *The New York Times*, *The Washington Post*, Ted Koppel's *Nightline*, Jim Lehrer's *NewsHour*, NPR, etc.

It wasn't until 1993, seven years after our founding, that FAIR started to focus serious research attention on talk radio. And while we've tracked the remarks of television rightists like Pat Buchanan, our main criticism of TV punditry has focused on who the networks miscast as television's "leftists": usually centrist-leaning individuals like Mark Shields, Al Hunt, Michael Kinsley, and Geraldine Ferraro.

JIM NAURECKAS
Publications editor
Fairness & Accuracy in Reporting (FAIR)
New York

ONLINE ABUNDANCE

I am the editor of New Jersey Online, the World Wide Web service Trisha Smith described as "total chaos" and "lacking original content" ("It's a Job, But Is It Journalism?" November/December). In contrast to Smith's inaccurate comments, New Jersey Online is not only heavily trafficked and thriving, but well-stocked with original content and interactive forums that draw at least 270,000 visitors a month to the site. This November, we were awarded two "5-Star Site" awards from NetGuide, a distinction few, if any, regional online services can claim.

Among the content areas Smith chose to

ignore when she portrayed NJO as a complete repurposing of the *Star-Ledger* are The Yuckiest Site on the Internet, a sixty-page deep interactive science area for kids which has received kudos from both Web users and publications such as *People* magazine, *USA Today*, and Time Inc.; Fanzone, a sports talk area facilitated by personality "Raving Jake," generating an average of 100 new postings every week; Art Naked, a weekly cyber-serial by a young reporter in search of "beer, babes, and fun," recently reviewed by *Wired* magazine; and Scotts on Sound, a weekly multimedia music review that covers music by performers as diverse as Phish, Iris Dement, and Naughty by Nature and encourages readers to talk about the music in a forum with the critics.

So why the ugly comments about NJO from Smith and the complaints about talent being wasted? Could it be that some of the first-generation content providers who go into new media have the same problems as those who trod before them in print — a lack of flexibility, an unwillingness to solve problems rather than whine about them, and a general lack of reality about what start-ups — in any medium — involve?

While her contentions certainly may reflect her unhappiness in working at NJO, they are inaccurate. A quick phone call to NJO would have revealed the statement — presented as fact by your reporter — that five additional staffers out of twenty-five left after her departure as false (two staffers left around the same time as Smith, one to work as a production manager for *The Princeton Review* in New York City, another to work as a producer for Disney in Los Angeles).

SUSAN MERNIT
Editor
New Jersey Online
Jersey City, N.J.

CORRECTION

In the November/December issue, the name of the agency that supplied the photographs for the child welfare story on page 45, and for the photo essay on pages 39-41, was inadvertently omitted. It was Impact Visuals.

NOTE TO READERS To be considered for publication, all letters to the editor, whether sent by post or e-mail, must include the sender's full name, street address, and telephone number.

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.....

The INTA Trademark Checklist correctly lists over 4,000 trademarks and service marks with their generic terms. Following is a representative sample. The full list can be found on the INTA web site: www.inta.org/inta, or call the *Trademark Hotline*, (212) 768-9886.

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AC spark plugs, filters
Adidas athletic clothing and footwear
Alcoa aluminum
Alfa Romeo automobiles
Allied Signal (and design) chemicals, automotive and aerospace parts
All Star athletic footwear by Converse
All-Bran cereal
Almaden wine
Alpine computer hardware and software
AmEx financial and charge card services
AMP electrical connectors
Anacin analgesics
Anchor (and design) beer and porter and other malt beverages
ARGO cornstarch
AstroTurf synthetic turf
Avon cosmetics

Babcock & Wilcox steam generators
Baby Gap clothing and clothing stores
Bacardi rum
Bakelite plastics, molding compounds
Bali brassieres and foundation
Barclays banking and financial services
Baskin-Robbins ice cream
Bausch & Lomb eyeglasses, contact lenses
Beetle (a.k.a. Bug) automobiles by Volkswagen
Ben & Jerry's ice cream
Big Mac hamburger sandwich
Blaupunkt radios and televisions
Book-Of-The-Month Club books and book club services
Breakfast of Champions breakfast cereal
Bud Light beer
BYTE computer publications
Cabbage Patch Kids dolls
Cadillac (a.k.a. Caddy) luxury automobiles
California Cooperage hot tubs and spas
Campbell's soups
Capezio shoes
Catch The Fever promotional services to promote baseball
Chanel clothing, accessories, perfume, cosmetics
Cheerios breakfast cereal
Cheez-It crackers
Chiquita fresh fruit, fruit juices
Chock Full o' Nuts coffee
Chris-Craft boats

Cinemax television programming service
Clorox bleach, cleaners
Coach purses, leather goods
Compaq computers, peripherals
Corelle dinnerware
Cuisinart food processors
Cure 81 hams
Cutler-Hammer electrical components
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Danskin bodywear, hosiery
Day-Timer time planner
Demerol analgesic
DeskScan computer utility programs
Dewar's Scotch whisky
Dialog online and CD-ROM based information retrieval activities
Dixie paper cups
Dolby signal processing systems
DoveBar ice cream confections
Dream Vacation packaged vacation trips
Edge shaving gel
Eggo waffles
Ellesse footwear and apparel
Ensure nutritional beverage

The INTA Trademark Checklist is a quick reference to help people in communications use trademarks accurately. Here are a few important usage guidelines that will help prevent letters of complaint from trademark owners:

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Flair writing instruments
Folgers coffee
Formica laminated plastic
FTD florist association services
Gap Kids (and design) clothing and clothing stores
Georgia-Pacific building and paper products
GLAD plastic wrap and bags
Goldfish crackers
Gore-Tex fabric
GRE tests, educational software
Guess? clothing, watches, bags
Häagen-Dazs ice cream
Halo lighting fixtures
Harley-Davidson motorcycles
Hide-A-Bed sofas
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Hostess snack cakes
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International trucks, engines
Isotoner gloves
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Neon automobiles
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Nicorette nicotine gum
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PlaySkool educational toys
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Speedo swimwear
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Swatch watches
Sweet'n Low sweetener
Tabasco pepper sauce
Tampax tampons
Tanqueray gin and vodka
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Tinkertoy construction toys, games
Trinitron televisions, monitors
Turtles candy
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Valium tranquilizer/diazepam
VapoRub decongestant ointment by Vicks
Velcro hook and loop fasteners
Vulcan ovens, ranges, fryers
Walkman portable stereos
Weebok children's footwear and apparel
Weight Watchers food products, weight reduction centers
Whopper hamburgers
Wonder bread
WordPerfect word processing software
X-Acto knives
Xerox photocopiers, copies, computer systems
Yahtzee dice game
Yoo-Hoo beverages, beverage ingredients
Yoplait yogurt
Yosemite Sam cartoon character
Ziploc resealable bags
Zippo cigarette lighters
20 Mule Team borax
3 Musketeers candy bars
409 glass and all purpose cleaner
501 jeans by Levi Strauss & Co.

CJR upfront

• *Movies and Manipulation*

• *North Carolina Civic Journalism Experiment*

• *Whopper of a Chopper*

• *Feiffer: Richard Jewell and the Right to Know*

• *Critique: The People vs. Larry Flynt*

• *Q&A: Documenting Rape in Bosnia*

• *Open Mike: In Defense of Expert Journalism*



HOLLYWOOD

MOVIES AND MANIPULATION

how studios punish critics

Do movie studios manipulate critics? Of course they do. And the effort goes well beyond the recently publicized, decades-old practice of finding nominal critics willing to put their names to any prepackaged rave ("Funny, funny, funny!") sent to them by the studios.

In a ten-month survey underwritten by the National Arts Journalism Program and carried out at the University of Southern California School of Journalism, we turned up accounts of everything from forcible ejection from pre-opening screenings to blackballing by a studio for "the tone" of one's coverage or breaking a review-embargo date.

The survey concluded that manipulation of the media has never been more rampant; that Disney, Miramax, and Warner Bros. are perceived by the entertainment press as the "most manipulative" studios, and 20th Century Fox and MGM the "least manipulative"; and that many in the media — including this reporter while covering film for the *San Jose Mercury News* — have been blacklisted by studios for "not playing by the rules."

Worse yet, as movie budgets increase, marketing departments try to safeguard their investments by developing newer and more expedient ways of sorting friend from foe, the "studio shills" (as Armond White of the now-defunct *City Sun* in Brooklyn tarred them) from the independent-minded journalists.

More than 100 questionnaires went out to critics, reporters, and entertainment editors at magazines, alternative weeklies, TV and radio stations, large and small dailies. At this writing, 62 people, from the

New Yorker critic Pauline Kael to the *Osceola (Florida) News-Gazette's* reviewer, Peter Covino, have replied. Responses ranged from "Check the mirror — we're our own worst enemy" and "Publicists are paid to manipulate" to "Finally, someone addressing this issue!"

Some of America's most influential critical voices have been muted by angry publicists and powerful agents. The venerable Kael and Judith Crist (formerly of *The Today Show* and *New York* magazine) were barred from screenings by Warner Bros. in the 60s and 70s. Jami Bernard (*New York Daily News*), Jonathan Rosenbaum (*Chicago Reader*), Judy Gerstel (*Toronto Star*), David Elliott (*San Diego Union-Tribune*), and White of the *City Sun* have all been punished for various trespasses on studio sensibilities.

Kael, now 77 and retired in Great Barrington, Massachusetts, says she paid a heavy price for her independence. "It's very embarrassing when your friends and colleagues are getting into a movie and you can't," says Kael, generally regarded as the best American film critic since James

WHO WHAT WHEN WHERE WHY



MARK GOTBALIM

meet the press

LAST NIGHT, WHILE
FLAMMAGING
THROUGH
RICHARD
JEWELL'S
GARBAGE...



I CRIED OUT
TO MYSELF,
"THE FBI
CLEARED
THIS GUY.
WHY ARE
YOU DOING
THIS?"

"BECAUSE I'M A NEWSPAPERMAN!"
I CRIED BACK, AS I PORED
THROUGH HIS RECYCLABLES.



"THE
PUBLIC
HAS A
RIGHT
TO
KNOW!"

"KNOW WHAT?" I SCREAMED,
IN SELF-DISGUST.



"KNOW WHY, IF THE FBI THINKS
JEWELL'S REALLY INNOCENT,
THEY HAVEN'T LEAKED US
ANOTHER SUSPECT..."



WHERE
THERE'S
SMOKE,
THERE'S
FIRE, I
SWAPPED.

"BUT THERE IS NO SMOKE,"
I SNORTED. "EVEN MORE REASON
TO BE SUSPICIOUS." I SNEEZED,
AS I BROKE INTO JEWELL'S
BASEMENT AND CHECKED OUT HIS
WASHING MACHINE.



AND FOUND, INSIDE,
STEVE DUNLEAVY OF
THE NEW YORK POST.



"THIS IS MINE,"
HE HISSED.
"YOU GET
THE DRIVER."

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Agee. "On one occasion I was invited to a screening by mistake. When I got inside and sat down, I was asked to leave. On another occasion, when the studio publicist saw me, I was told the screening had been canceled. Later, I was told that as soon as I left the building, the screening was called again."

More recently, Bernard of the *Daily News* was blackballed by former Disney boss Jeffrey Katzenberg for "the tone" of an Eddie Murphy interview, and White of the *City Sun* was barred from Columbia's *Get on the Bus* screenings because of a longstanding feud with the film's director, Spike Lee. (Eventually, thanks to pressures by the New York Film Critics Circle, White was admitted to a screening.)

Rod Lurie, formerly of *Los Angeles* magazine, said he was "banned for life" by Warner Bros. for describing Danny DeVito as "a testicle with arms" in his *Other People's Money* review. Gerstel, then new to her beat at the *Detroit Free Press*, filed an early report on poor audience response to Steven Spielberg's *Hook* ("Hook Sinks") and received a stern lesson in studio politics: she was dropped from Columbia-TriStar's and Amblin Entertainment's press lists and (because "loose cannons" are considered a com-

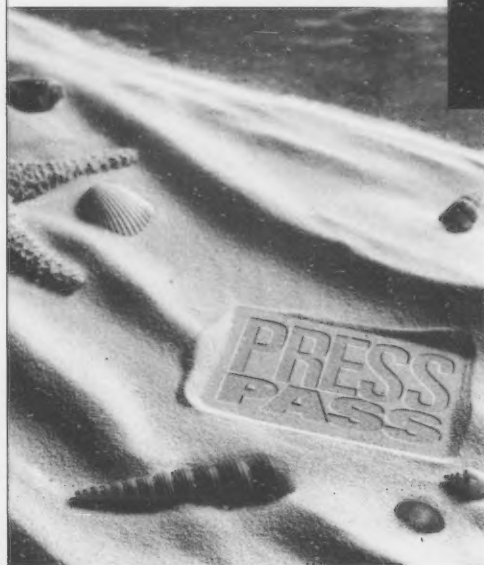
GIZMOS



Whopper of a Chopper

The latest buzz in newsgathering technology has drawn KXTV-Channel 10 into dust-ups with the Secret Service, the FBI, and the Air Force. The ABC affiliate in Sacramento, California, recently launched its Air 10, a helicopter so sophisticated it can make out a license plate from 1,000 feet, read facial expressions on the people far below, and zoom in so close to restricted events — the president's speech, the Unabomber suspect's arrival, the spy plane's crash — that the authorities concluded the chopper must have violated airspace limits. The cherry-red Air 10 features the latest in space shuttle technology and high-resolution microwave transmission equipment. It can hover longer and bear more weight than other copters, and it carries four built-in cameras, including a rotating Gyrocam that hangs from its snout. High tech comes at a high cost, of course: the Air 10's came in at two years and \$1.5 million. And in the competitive world of local television news, the Air 10 may not be unique for long. "The technology keeps running forth in leaps and bounds," says Charles Cooper of the National Press Photographers Association in Durham, North Carolina. "Stations feel they want to put all this super gadgetry together just because the technology is there. If the Philadelphia station does it, then the Pittsburgh station feels they have to." Which leaves the question: If the sky isn't the limit for high-tech dazzle anymore, how much of the budget will be left for low-tech humans?

Judy Farah

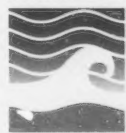


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CORRECT THE SPELLING:

"I ate two Oreos and one SnackWell's cracker."

Business Journalist

Baruch College seeks a specialist in business journalism to teach journalism/business journalism and basic writing within the Department of English to fill a tenure-track assistant professor position beginning Fall 1997. Candidates should have expertise in covering national and international financial markets, business trends, politics, and policy and social issues. They should also have expertise in computer-assisted reporting, new media, and on-line research. Excellent teaching skills are required, as well as a strong publication record. Candidates who hold a master's degree are urged to apply. For such candidates, a request will be made to the Board to waive the doctoral degree requirement that is ordinarily necessary for CUNY faculty appointments.

Salary range: \$40,440-\$52,213, depending on qualifications and experience. A curriculum vitae, three letters of recommendation, and publication samples should be sent by February 1, 1997, to: Professor John Todd, Chair, English Department, Box G-0732, Baruch College, 17 Lexington Avenue, New York, NY 10010. Baruch College is a senior college of The City University of New York located near Gramercy Park in Manhattan. The College offers programs in liberal arts and sciences, business, and public affairs. An AA/EQ/IRCA/ADA employer.

Baruch College
The City University of New York

munal problem) soon found herself barred from Warner Bros. and Universal functions as well. Two years later, Amblin allowed Gerstel only minimal access when Spielberg's *Schindler's List* opened.

Not even the Thumb Boys, Roger Ebert and Gene Siskel, are impervious to such treatment. In 1990, the two were dropped from the 20th Century Fox screening list for badmouthing *Nuns on the Run* on the *Live with Regis and Kathie Lee* show. Unlike Gerstel, who wields nowhere near their clout, Ebert and Siskel were reinstated in less than three weeks, with Fox calling further measures "counterproductive."

Obviously the Hollywood freelancer — whose livelihood depends on easy access to stars and screenings — is most susceptible to the studio ban. Jeffrey Wells, a longtime industry reporter, and Patrick Goldstein, senior writer for *Premiere* and a frequent contributor to the *Los Angeles Times*, were blackballed by, respectively, Columbia and Sony Pictures for stories that were called "irresponsible" and "vicious." Wells's report on a *Last Action Hero* research screening Columbia swore never took place ran in the *Los Angeles Times*'s Sunday Calendar and resulted in threats to cancel advertising (then worth \$5 million annually). Goldstein's *Los Angeles* magazine exposé on Sony ("Inside Hollywood's Most Clueless Studio," February 1996) brought the expected protests and penalties.

How petty can all this get? Very.

Bernard was exiled to the balcony at a Disney preview after attending the Central Park send-off of *Pocahontas* and filing an early review. (Janet Maslin of *The New York Times* also filed early but was not penalized.) Richard Von Busack (San Jose *Metro*) was cut from Universal's junket list for "not putting Chevy Chase on our cover for *Fletch II*." Peter Keough of *The Boston Phoenix* claims: "Disney has banned us because a cover slighted *Pocahontas*." San Francisco's Jan Wahl (KRON-TV, KCBS) said she was thrown off Alcatraz by an irate Disney publicist — for not asking the right questions of Sean Connery and Nicolas Cage at the world premiere of *The Rock*. And Rosenbaum of the *Chicago Reader* was banned by Warner Bros. for three years for not giving up the colleague who told him about a secret *New Jack City* screening.

Glenn Lovell

Lovell is an entertainment writer for the San Jose Mercury News and Knight-Ridder Newspapers. His survey of critics — "Caught in the Machinery: How Hollywood Subverts the Media" — was published in the fall.

CIVIC JOURNALISM

The North Carolina Experiment

When the national press used words like "dangerous" and "dishonest" in their reporting on two North Carolina election contests — the race for governor and the charged rematch between the controversial Republican Senator Jesse Helms and his Democratic challenger, Harvey Gantt — they were not referring to campaign tactics. This election season, visiting reporters lavished more attention — and heaped more abuse — on the local press than on the local candidates.

The focus of their fury was "Your Voice, Your Vote," a seemingly mild-mannered experiment in civic journalism launched by a coalition of six of the state's major newspapers and nine commercial and public broadcasters. The coalition described the project as an effort to move beyond traditional "horserace" coverage, explore issues in greater depth, and connect more closely with readers' concerns. "During the 1994 campaign we didn't feel we were plugged in," said Anders Gyllenhaal, senior managing editor of *The News & Observer* of Raleigh. "There was a need for more voices, and a better sense of what voters are all about."

But the flashpoint of the national media attacks was the way the project partners went about plugging in: by

SOUNDBITE

"I think we've gone too damned far."

Chris Marrou, anchor at KENS-TV in San Antonio, apologizing on the air to his viewers after the local newscast aired graphic footage, taken by a hidden camera, of two men having oral sex in the restroom of a public park. Station officials said their only mistake was in not digitizing the tape to blur the image, and insisted that the airing of the "Perverts in the Park" segment during the ratings sweeps was purely coincidental.

polling their audience, asking them to identify the issues they most cared about. The coalition then chose four of the top five — crime and drugs, health care, taxes and spending, and education. They interviewed the major candidates for senator and governor about where they stood on those issues, and jointly put together lengthy “issue packages” that each partner was free to edit. Most of the newspapers supplemented these packages with other reporting of their own, but the packages themselves tended to look similar from paper to paper.

The Critics. *The Boston Globe*, *The New York Times*, *The Wall Street Journal*, *The Washington Post*, *The New Yorker*, and *The Financial Times* of London all weighed in with examinations of the project — and most of their conclusions were not pretty. They contended that by relying on polls to guide their coverage, journalists were pandering to readers, abdicating their professional responsibility to assess the newsworthiness of events, undermining the candidates’ own political judgments, and ignoring the equally important public issues that didn’t show up in the polls — race, say, or trade.

Especially scathing was Jonathan Yardley, a *Washington Post* columnist and alumnus of the *Daily News* (now the *News Record*) of Greensboro, N.C. Calling civic journalism “an insidious, dangerous idea,” he blasted the “Your Voice, Your Vote” project as an attempt by a “cabal” of news organizations “to control the political agenda rather than to report on the candidates’ activities and positions,” and as a “self-serving” strategy to “make journalism essential to public affairs and thus to ensure its customer base.” And Michael Kelly, writing in *The New Yorker*, called the project “anti-democratic,” “dishonest,” and at its core a “fraud” that ended up seriously limiting the public debate.

The Defense. Journalists involved in the project argued that “Your Voice, Your Vote” was never meant to dictate to readers or control candidates, but simply to provide information that voters felt they needed. And the jointly produced packages — twelve all told over the course of the campaign — were nothing more than enhancements, they said, meant to supplement their normal campaign coverage.

“We succeeded in what we set out to do,” maintained Rick Thames, public editor of *The Charlotte Observer* and a coordinator of the project. “That was to

LANGUAGE CORNER

DUMB AND DUMBER: Somewhere along the line, a lot of us were taught that we had to say “more than,” and not “over,” when dealing with amounts. Somebody could be over six feet tall, but we had to say more than ten years. It’s a picky rule — “over” is at least as common as “more than” in literate speech — but harmless until, as happens often with rules, we follow it out the window. Then we get something like this: “... a salary just under \$25,000 ... and well more than Clinton himself would make as attorney general.” Arg. “Well more than” flat-out mangles idiom; nobody says anything but “well over.” So if we ignore the rule — honor it in the breach, as it were — we’ll never perpetrate “well more than.”


For more on the language, see CJR’s website at <http://www.cjr.org>.

find out what were the major issues in this election and make sure the candidates for Senate and governor addressed those issues early in the campaign. And that happened.”

Jennie Buckner, the *Observer’s* editor, replied to Yardley in a *Post* op-ed piece almost as scathing as Yardley’s own. She confessed herself “astonished by the number of journalists who seem offended by the suggestion that they might learn something valuable by listening to citizens.”

The Political Operatives. Questions were also raised about the practical effect the project had on the election results. Jim Andrews, the campaign manager for Harvey Gantt, who is black, complained that the project’s narrow focus was unfair to his candidate. By virtually ignoring the more loaded issues of race or Helms’s trademark “family values,” he said, the coalition did not present voters with evidence of the starkest ideological differences between the candidates. “There are serious disagreements here, but all the disagreements are sanitized, everything is put through the washing machine,” Andrews told Kelly of *The New Yorker*. Helms, who refused most interviews by project reporters, handily beat Gantt.

But Harrison Hickman, a political consultant who helped re-elect Governor Jim Hunt, maintained that the project didn’t influence the public one way or the other. The Hunt campaign conducted



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The purpose of the program is to provide reporters, editors and producers with the opportunity to enhance their knowledge of life and health insurance and other related issues. The program will offer a balanced context for financial coverage. Seminar sessions will include information about the historical development of the insurance industry, its financial structure, product development and financial rating systems. The current state of the industry will be examined in the context of contemporary public policy issues. The sessions will be highly participatory and always on-the-record.

To apply, applicants must send a letter stating why the applicant and his/her news organization would benefit from this program; a letter of support from a senior editor; a brief resume; and one clip on a financial topic. Applications will not be returned.

Send applications to Insurance Program, National Press Foundation, 1282 National Press Building, Washington, DC 20045. For information call 202-662-7356; the fax is 202-662-1232; the e-mail is NPF@AOL.COM.

The program is funded through a grant from the Life and Health Insurance Foundation for Education, a non-profit organization devoted to educating the public about the role and value of life and health insurance. The American College is a non-profit, academically accredited institution. The National Press Foundation is an independent, non-profit, non-partisan organization offering professional development opportunities for journalists.

thirty focus groups last fall. "Out of those," said Hickman, "maybe two people even mentioned having read any of the stuff or exhibited any sense of having read it. And the two people who did, both said the same thing: it was confusing."

The Citizens. A freak of nature, Hurricane Fran, which hit on September 4, distracted North Carolina voters from the election in a big way. It downed telephone lines (and therefore polling), disrupted electricity (and therefore television ads), and caused billions of dollars' worth of damage.

"Hurricane Fran blew a hole right at the time when people would start to focus on the campaign," said Gyllenhaal of *The News & Observer*. "The Gantt campaign was not doing very well early on. That story was one of the hurricane victims."

But other observers argued that the project itself contributed to a lackluster campaign season. Thad Beyle, a professor of political science at the University of North Carolina at Chapel Hill, said that while it was a noble effort, the project, by homogenizing issues, "took away the notion of what politics is all about — working toward coalitions, seeing what motivates voters and getting voters to the polls," he said. And when Kelly of *The New Yorker* visited North Carolina in October he found "candidates muted, the press disengaged, the public looking elsewhere for its entertainment."

The Future. Don't look for the "Your Voice, Your Vote" effort to go away. Key players — many of whom continue to defend the project with a religious fervor — said this first effort showed them some pitfalls to avoid next time. All said they will do more with the campaign on television — with ad-watch coverage, for instance — and with campaign finance.

But as consultant Hickman saw it, the project, while not in itself a bad effort to improve campaign reporting, deflected too much time and energy from the more traditional kinds of campaign coverage — profiles of candidates, examinations of their backgrounds and character — that the press does so well. "Every time they think they have to reinvent the wheel they throw away the car," he said. "They need to use all the components to provide more complete coverage."

Seth Efron

Efron is founder and editor of "the insider," a news service covering North Carolina politics, and executive editor of nando.net, the Web content service of McClatchy Newspapers, which also owns *The News & Observer* of Raleigh.

MEXICO

A Freer Press Scares the Government



MARK GOTBAUM

When it comes to guerrillas, the twenty-seven-year-old Mexican reporter Razhy González has shown an uncanny ability to be in the right place at the right time.

In 1994, when masked rebels from the Zapatista Army of National Liberation (EZLN) launched an uprising in the southern state of Chiapas, González landed an interview with its elusive leader, Subcommander Marcos. A year later, González was the first to confirm that armed rebels were organizing in the neighboring state of Oaxaca, where he is based. In 1996, when the Popular Revolutionary Army (EPR) launched its first major attack in the Pacific Coast town of Huatulco, González was one of only six journalists there to witness the combat.

The director of a small weekly newspaper called *Contrapunto*, González scored another journalistic coup when he was one of only nine reporters invited to a clandestine EPR press conference in the mountains of Oaxaca on September 13.

Three days after returning safely from his rendezvous, however, González discovered the downside of his journalistic success. He found himself face down, bound and blindfolded, after being forced into a car by four gunmen as he was leaving his office in downtown Oaxaca. "They accused me of being a spy for the EPR posing as a journalist," said González, as he nursed a deep gash across his nose where the blindfold had rubbed away his skin.

González alleges that the men who



CRITIQUE



The People vs. Larry Flynt

A film directed by Milos Forman; written by Scott Alexander and Larry Karaszewski; produced by Oliver Stone, Janet Yang, and Michael Hausman; and released by Columbia Pictures. Running time: 129 minutes; not rated. Cast includes Woody Harrelson (Larry Flynt), Courtney Love (Althea Leasure Flynt), Edward Norton (Alan Isaacman), Donna Hanover (Ruth Carter Stapleton), Brett Harrelson (Jimmy Flynt), Richard Paul (The Rev. Jerry Falwell), James Cromwell (Charles Keating), James Carville (Simon Leis), and Larry Flynt (Judge Morrissey).

The published shooting script of *The People vs. Larry Flynt* (by Scott Alexander and Larry Karaszewski; New Market Press) contains, among many scenes squeezed out of the film, a discussion by Larry Flynt, founder of the illustrated monthly *Hustler*, with his staff after he weathers a prosecution for publishing pornography. "What this trial made me realize," says Flynt, "is that everything is political." One of his associates blurts: "Jeez, Larry, you're a regular Thomas Paine." Flynt responds: "Who?"

The exchange is worth rescuing because it all but capsulizes this extraordinary film. Even when the purveyor has in mind nothing more elevated than making money, pornography inevitably becomes politicized, in our time even as before the French Revolution, when Marie Antoinette was so lewdly portrayed. And however ignorant at the start, the smut merchant learns to fight with the political tools available. In essence, this film is the story of how Larry Flynt came to know and love the First Amendment. The climax of the romance is his victory in the Supreme Court of the United States over Jerry Falwell, whom his magazine had portrayed, in coarse jest, as having had intercourse with his mother in an outhouse.

Although the film contains a substantial amount of *Hustler* atmospherics and degradation, the tone is hardly prurient. Rather than glamorizing Flynt, it shows the personal price that he paid for ignorance, nonconformity, and audacity — the loss of a wife (brilliantly played by Courtney Love) to AIDS, life in a wheelchair and years lost to drugs after he was cut down by a celebrity-stalker of the type that our century knows all too well, and incarceration for playing the fool in court. Woody Harrelson plays the formidably ill-behaved Flynt with, if not innocence, at least a winning lack of malice. Flynt himself makes an appearance as an inflexible judge.

This may not be the traditional classroom film on free speech, but it offers a very traditional point — that a free society, to be truly free, ought to protect the speech it hates. It all seems so clear. But it is also clear that there remain many who regard this particular form of free speech — the *Hustler* kind — as too dangerous to tolerate. It is worth remembering that even after the supposedly definitive victory over Falwell, the Mapplethorpe wars still lay ahead.

Boylan was CJR's founding editor.

James Boylan

Fellowships

RETHINKING THE BLAME GAME:

New Approaches to Covering Child Abuse and Protection

The fifth annual conference of the Casey Journalism Center for Children and Families

It's news when a child dies from abuse or neglect, but much of the reporting about this critical issue follows the same worn path. A sensational story about a child's death or battering is followed by a search for blame. Often left untold is the bigger, more complex story about economic and social changes in the lives of families that breed physical and emotional violence against children—and the re-engineering of child protection systems and other institutions to confront these new realities.

Thirty journalists will receive fellowships to attend a week-long conference, June 8-13, 1997, to equip them to better report on the crisis in the nation's child protection system and the troubled families it serves. Discussions will feature top experts from universities, think tanks, and public and private-sector programs.

Reporters will take back to their newsrooms a wealth of story ideas, new sources and new ways of thinking about the causes and consequences of child abuse and neglect. Journalists who have been pace-setters in coverage of child protection issues will also be featured.

Fellowships cover instruction, lodging, meals, reading material and a travel subsidy of up to \$300.

DEADLINE: RECEIVED BY APRIL 1, 1997

TO APPLY: Send three copies each of
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•statement of up to 500 words of reasons for wanting to attend and how this will strengthen coverage
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Adelphi Rd., Adelphi, Md. 20783-1716.
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Web page: casey.umd.edu.
E-mail: cjc@ajr.umd.edu

The Center is part of the University of Maryland College of Journalism and is funded by the Annie E. Casey Foundation.

kidnapped and interrogated him for forty-five hours were not some outlaw force, but government agents, and he makes a convincing case. Many observers, in fact, see the kidnapping as another troubling sign of the government's reaction to a newly aggressive Mexican press.

Oaxaca governor Dióodoro Carrasco Altamirano's comment on the kidnapping episode was not reassuring to those observers. "Now is not the moment to play around with critical journalism," he said in a radio address shortly after González was released.

It's hardly surprising that the government has been taken aback by the radical and rapid transformation of the Mexican press. For decades — until four years ago — the government controlled all television news. It also used intimidation and corruption to muzzle the written press.

It was under President Carlos Salinas de Gortari, now in self-imposed exile in Ireland after being excoriated in the press for bringing Mexico to the

SOUNDBITE

"What really bothers me about the decision to kill the story was that reporters were saying, 'They can't run a story like that at this point in the campaign — it would be like clubbing a baby seal.' It was the press deciding that it didn't want Dole writhing on the ice, instead of just reporting the news."

Steve Carr, editor of *The City Paper* in Washington, after his paper revealed that *The Washington Post* had decided not to publish its story about Bob Dole's longterm affair with another woman during his marriage in the 1960s.

brink of bankruptcy, that the mechanisms of media control began to break down. In an effort to sell the virtues of the North American Free Trade Agreement (NAFTA) to a skeptical American public, Salinas began to woo the foreign press corps in Mexico City. And with the domestic press, he relied more on his considerable charm than on cruder means of control to generate positive stories.

In accordance with his economic lib-

Q & A WAR, RAPE, AND THE PRESS IN BOSNIA

Before Richard Goldstone stepped down as prosecutor of the International Criminal Tribunals for the Former Yugoslavia and Rwanda in September, he thanked a group of reporters at the Netherlands' Foreign Press Association for their coverage. "If people aren't told what courts are doing," he said, "then 90% of their value is lost."

A new film to be aired this spring on the Cinemax "Reel Life" documentary series is sure to focus attention once again not only on the work of the Tribunal, but also on the role the media have played in the larger Balkans conflict. *Calling the Ghosts: A Story about Rape, War and Women*, by the South African-born New York filmmaker Mandy Jacobson, follows two women — childhood friends Jadranka Cigelj and Nusreta Sivac — as they describe being raped while prisoners at the infamous Serb-run Omarska Camp in the early days of the Bosnian war, and as they seek political justice. Ultimately, the man Cigelj accuses of rape was indicted in absentia as a war criminal, and this international court, for the first time in history, defined rape as a crime against humanity.

The film also highlights the role journalists played in closing the camps and raises a host of other media issues. In an interview last September, Mandy Jacobson discussed her experiences.

Q: Was it difficult to find people who would speak to you? In the film there's one woman who says, either shoot us, help us, or get out.

A: That, for me, is one of the best clips we were able to get, where a woman said to us: listen, I'm sick of all you journalists and if you don't want to help us, stop filming. If you want to help us, fine. But the boundaries of what "help" meant were really pushed in this war. I've spoken to numerous journalists who have spoken about how their professional roles were really pushed to the boundaries.

My co-director, Karmen Jelencic, who is from Croatia, spent seven months not switching on the camera. I think that was a very important part of the quality of the material we were able to get. We were different from the thousands of journalists that swarmed into Bosnia asking: are there any women here raped and speak English?

I would like to see our audiences make the connection — not "what can we do for poor women in Bosnia?" but rather "How is violence against women going on in our own lives and what is the connection between the culture of violence in peacetime that allows this to happen in wartime?"

Q: Jadranka herself even says in the film that maybe what happened to her is God's revenge for her not noticing the suffering of other women in the past. . . .

A: Isn't that the most chilling thought? When I witnessed what women were suffering in other parts of the world, I took it simply as news. We could do a big critique of the media and the way in which it presents news.

Q: Why do you think rape is being taken more seriously in this war and has become the focus of so much media attention?

A: Well, Maggie O'Kane, a journalist from *The Guardian* who did a fantastic job in breaking a lot of the stories from Eastern Bosnia about systematic rape, reckons that some of it had to do with the fact that 40 percent of people covering the war were women journalists, "chicks in the zone" she calls them. I don't think she wants to get into too much of women-can-do-a-better-job-than-men on it because look, Roy Gutman [of *Newsday*] also did a fantastic job of it.

Q: So without the media, the camps may have remained open?

A: Yes. Nusreta says if it wasn't for the journalists, we wouldn't have been saved. The stories also impacted international policy because they've shamed politicians. And I find it fascinating that journalists are even being called to the Tribunal as expert witnesses. I'm sure journalists never thought of their roles like that in previous wars.

Q: Do you think people will care when they see your film?

A: As we try to now get broadcasters interested, I'm getting two extreme responses. In the U.S., I'm getting, "Our audiences don't care about foreign issues." And in Europe I'm getting this new word, "We are Bosnia-ed out." And my reaction to the American viewpoint is that audiences don't care because they're not getting fed interesting stories. Now as far as the Bosnia-ed out syndrome, I'm sure that's actually real. But we can never have enough stories, particularly on the resilience of human nature. I think maybe we're Bosnia-ed out on victim stories, but of in-depths stories, I don't think we've had enough of them.

Lauren Comiteau

Comiteau is a free-lance writer living in the Netherlands. *Calling the Ghosts* is being distributed by *Women Make Movies* in New York City.



Mandy Jacobson



SYNERGY WATCH

"Save it! Save it!"

Sam Donaldson, ABC News correspondent, to the defrocked political consultant Dick Morris during his post-election commentary on ABC's *Good Morning America*, when Morris turned the conversation from election results to scandal. During their conversation Donaldson also found an opportunity to mention his coming long interview with Morris on *Prime Time Live*, an interview expected to coincide with the January publication of Morris's book, *Behind the Oval Office: Winning the Presidency in the '90s*. Employees at CBS and NBC say that Random House, Morris's publisher, which contracted to pay him \$2.5 million, had raised with both of the networks the possibility of an exclusive interview with Morris about his book in return for their using him as a political commentator. (Phyllis McGrady, *Prime Time*'s executive producer, has denied any connection between Morris's appearance as a commentator and Donaldson's interview.)

Synergy Watch will keep an eye on intra-corporate backscratching as it affects the news business in the age of conglomerates. Nominations to cjr@columbia.edu.

eralization program, Salinas also allowed the importation of newsprint, previously controlled by the government, and sold off a government-owned television station, inaugurating a new era of TV news competition. TV Azteca, the upstart station, has quickly gained a 40 percent prime-time audience share.

But there was a danger in unleashing the press, as Salinas discovered when the Zapatista rebels González covered so eventually made their first move on January 1, 1994, the day NAFTA went into effect. The story had instant appeal, and the left-leaning Mexico City daily *La Jornada* gave special emphasis to its coverage of the conflict. Marcos in return made *La Jornada* his newspaper of choice, granting numerous interviews to its correspondents.

"Circulation doubled from 60,000 to 120,000," said Pedro Miguel, editorial coordinator at *La Jornada*, "and some days we sold 200,000 papers."

The lesson was clear: Readers would respond to aggressive coverage.

Over the next two years, as Mexico was convulsed by the assassination of Luis Donaldo Colosio, the candidate of the ruling Institutional Revolutionary Party (PRI); the murder of another high-ranking PRI official; the subsequent arrest of President Salinas's older brother on murder and corruption charges; and a massive devaluation of the peso, Mexico's newspapers went head to head.

Even this new independence has its limits. Almost all major newspapers, including *La Jornada*, accept payment to publish government press releases disguised as news articles, called *gacetillas*. *La Jornada* also allows its reporters to accept free transportation, meals, and accommodations from the government.

One newspaper that set out to break the mold was *Reforma*. Bankrolled by a wealthy Monterrey family, *Reforma* and *El Norte*, its sister paper in the northern industrial city, could afford to re-define the rules of the government/media relationship. *Reforma* imports its own newsprint rather than buying it from the government; it prohibits its reporters from accepting so much as a soft drink from public officials.

In the provinces, however, the old practices continue. With the exception of a few regional newspapers — *Siglo 21* in Guadalajara, *El Imparcial* in Hermosillo, and the muckraking newsweekly *Zeta* in Tijuana — the regional press largely reproduces press releases from the state governments.

In Oaxaca, Razhy González's effort to establish an independent voice has met with limited success. *Contrapunto*'s weekly circulation is only 1,500 and the paper, unable to attract advertisers, has been bleeding its backers' money. But González believes his paper will ultimately find a readership. Picking up a copy of the mainstream Oaxaca daily *Noticias* he explains why. A banner headline reads, "The Government Has the Support of the People"; another shouts, "Iron Hand Against Corruption."

Joel Simon

Joel Simon is an associate editor with Pacific News Service based in Mexico City. His book on the Mexican environmental crisis, Endangered Mexico, will be published this spring.



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THE OPEN MIKE

IN DEFENSE OF "EXPERT JOURNALISM"

In 1991, *The Philadelphia Inquirer* investigative team of Donald L. Barlett and James B. Steele published a historic exposé, "America: What Went Wrong?" Late last year they published a follow-up, "America: Who Stole the Dream?" Both projects show how legislators, presidents, executive-branch rulemakers, corporate executives, Wall Street financiers, and lobbyists have worked in tandem to diminish the lives of middle-class Americans.

Barlett and Steele, who until that first series were pretty much unknown outside journalism, received approximately 20,000 calls and letters about it, many telling the reporters they had captured real life. An expanded book version spent months on best-seller lists.

Along with the fame came attacks. Critics charged the investigative team with intellectual crimes: inaccurate information. Selective use of otherwise accurate information. Formulating a thesis first, then looking only for data to back the thesis.

The 1996 series led to similar praise and similar criticism. *Newsweek's* contributing editor, Robert J. Samuelson, called it "junk journalism" and suggested that economically undereducated reporters and editors have no business in that high realm. Some publications declined to run a syndicated version and *The Seattle Times* yanked it in mid-stream. At *The Tacoma News Tribune* in Washington, executive editor David Zeek told readers in a column that "Reaction to this series tops anything I've experienced at the *News Tribune*."

Why is the work of Barlett/Steele such a lightning rod?

The answer is surprisingly simple: they have developed a new kind of journalism, unprecedented in its scope (trying to explain the economic and social breakdown of an entire society through investigative reporting) and in its sophisticated, hybrid techniques (computer-assisted reporting using government databases, creation of original databases that uncover new realities, author analysis, and the proposal of solutions).

I have taken to calling the work of Barlett and Steele "expert journalism." The term was apparently coined by Lou Ureneck, a Portland, Maine, newspaper editor who, during a public-policy debate earlier this decade about commercial fishing, commissioned his most talented investigative reporters to go beyond dual-

ing experts. "They were empowered by their editors to immerse themselves in the topic and draw their own conclusions," Ureneck recalls.

Any new form is bound to ignite controversy. That said, the criticism of Barlett and Steele's work is off base. Most of it will seem ludicrous to anybody who has read the two "America" series carefully, and I have read the first series three times, all 235 pages in its book version, and the 1996 series, 241 pages in book form, twice. In those readings I have brought to bear everything I know about information-gathering and presentation. I have seen some of the evidence collected by Barlett and Steele and I have interviewed them.

I am baffled when I read criticism such as that from Holman W. Jenkins Jr., a *Wall Street Journal* columnist: "Their latest opus, an anecdotal avalanche, purports to prove the evils of foreign trade and immigration. To say their view of the global economy is one-sided, though, would be drastically to understate their intellectual aphasia."

Huh? The series is filled with anecdotes, but the anecdotes bring to life a statistical avalanche that Jenkins never refutes. And Barlett and Steele never say foreign trade and immigration are evil. Rather, they show that bad decisions in foreign trade and immigration policy by government and big business have unnecessarily cost U.S. workers their jobs. Such misrepresentation is typical of the attacks, as is the contention that Barlett and Steele play down opposing views. In dozens of paragraphs, they quote the conventional wisdom of presidents, cabinet members, senators, House members, corporate lobbyists, and executives of multinationals. Critics seem to overlook those paragraphs, perhaps because those spouting the conventional wisdom end up looking like fools — not through Barlett and Steele's invective, but through their relentless presentation of evidence about the inequity of the U.S. tax system, the true cost of debt financing, the unac-

knowledgeable barriers in global trade, the false promise of job retraining, and the fragility of pensions and health insurance.

Barlett and Steele did not start with a conviction about anything, I am convinced, except that corporate downsizing looked like an interesting topic. As they interviewed workers, "something happened on this project that had never happened to us in all our years of working together," Steele told me. "You would read these transcripts and it sounded like we had interviewed all the same people. Even though one person was out in California, the interview from the person in New England sounded like that same person." Over and over, Barlett and Steele were hearing workers say they had given their lives to an employer, only to lose their jobs, pensions, health insurance, and confidence in the system. They realized they had to investigate not just how this was happening but why.

Have their critics analyzed seventy years of income tax data, as Barlett and Steele did? Have they visited factories in dozens of states, documenting the broken careers and families of thousands of workers? Have they read corporate filings at the Securities and Exchange Commission from every business mentioned in the two series? Such research does not guarantee truth, but it certainly gives a reporter the authority to challenge conventional wisdom.

Will Barlett and Steele be vindicated? I think so. Consider: almost 100 years ago, the journalist Ida Tarbell began researching the most burning topic of her era — the trusts, which were monopolizing industry after industry. What would that mean for the working person? Tarbell focused on the biggest trust of all, Standard Oil.

Her work received an outpouring of gratitude from the citizenry much like the outpouring for Barlett and Steele. Her work also received criticism — charges of bias, selective use of evidence, intellectual dishonesty.

Later, historians began scrutinizing Tarbell's work more dispassionately. The overwhelming verdict — she was correct. I recently re-read *The History of the Standard Oil Co.* It could easily have been written in 1997 rather than 1902. In fact, it reads a lot like "America: What Went Wrong?" and "America: Who Stole the Dream?"

Steve Weinberg
Weinberg is a *CJR* contributing editor.

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Bullies on the Block

by Lawrence K. Grossman

When the rich, the influential, and the powerful all wrap themselves in the First Amendment, it's time to wonder what that amendment is really supposed to protect these days — speech or profits. Consider the battle of media titans over the effort to find space for Rupert Murdoch's Fox News Channel on the Time Warner Manhattan cable system. Put aside the massive egos, petulant vendettas, public tantrums, and sanctimonious statements by Fox News, Time Warner, and New York City Mayor Rudolph Giuliani over the unfortunate refusal of the nation's second-biggest cable operator to make room for Murdoch's new news channel. What this fight really demonstrates is the terrible inadequacy of the nation's cable policies and the degradation of the First Amendment. Cable is a "First Amendment horror story," said former FCC general counsel Henry Geller. He's right.

To induce Time Warner to carry Fox News on its cable systems nationwide, Murdoch first offered it a financial stake in his new news channel, a typical pay-off to major cable operators, which shamelessly favor the cable services in which they hold a financial interest. In Manhattan, for example, Time Warner owns all or part of almost 40 percent of the commercial cable networks that it selected for its system, among them HBO, CNN, TNT, Comedy Central, and some Pay-Per-View channels. After Time Warner obtained a 20 percent interest in CNN's parent company, Turner Broadcasting, it refused to allow *any* other cable news network to compete with CNN on its cable systems. The nation's biggest cable operator, TCI, which also has a major financial stake in CNN, likewise shut the gate to any competing cable news service. As a result, CNN held a monopoly in cable and the American people were denied access to any other national news channel. I learned firsthand how the system works back in 1985, when I was at NBC News. We tried to launch a competing twenty-four-hour cable news service but were shut out the moment Turner sold an interest in his company to Time Warner, TCI, and other big cable franchise holders.

The landscape changed in 1996, when Time Warner and

Turner Broadcasting decided to merge to form the world's biggest multimedia conglomerate. The Federal Trade Commission issued a consent decree requiring the expanded company to make available to at least 50 percent of its cable subscribers a second twenty-four-hour news channel, one in which it holds no financial interest. According to Fox, Time Warner chose MSNBC, GE's new cable news channel, over Fox News because Ted Turner, now Time Warner's vice chairman and a major stockholder, hates Murdoch. Turner has called Murdoch a "disgrace to journalism" and worse, promising to "squish him like a bug." In turn, Murdoch's Fox Television cameras blacked out Turner, who owns the pennant-winning Atlanta Braves, during the first three World Series games and Murdoch's *New York Post* suggested that Turner is "veering dangerously toward insanity." The *Post* also dropped its CNN program listings for a time, and continues to cover the cable battle like a sycophantic house organ rather than an honest newspaper.

To develop his alternative to the supposedly liberal CNN, Murdoch hired Roger Ailes, the former political campaign guru. When Ailes learned that Time Warner had no room for Fox News, he asked his friend Mayor Giuliani to intervene. Murdoch and his minions also called in their own political chits, recruiting New York State's top Republican guns, Governor George Pataki, Senator Alfonse D'Amato, and Attorney General Dennis Vacco. Pataki and D'Amato made a few phone calls to Time Warner, to no avail. But the actions of Vacco and Giuliani provide quite a different and, indeed, truly disgraceful story. A few days after attending a Murdoch-hosted cocktail party celebrating the launch of Fox News, Attorney General Vacco had his anti-trust department serve a belated but well-publicized twenty-page subpoena on Time Warner, seeking numerous confidential business documents concerning its merger with Turner. The state subpoena came *after* the FTC had already approved the merger, which had first been announced more than a year earlier.

Mayor Giuliani's response was even more dismaying. The city pulled out all stops to coerce — blackmail is not too strong a word — Time Warner into carrying the Fox News Channel. At Giuliani's bidding, city attorneys threatened to revoke Time Warner's Manhattan cable franchise, refusing to approve its transfer to the newly merged compa-

Lawrence K. Grossman is the author of The Electronic Republic: Reshaping Democracy in the Information Age, and a former president of NBC News and PBS. With this issue, he becomes a regular columnist.

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Candidates should send a cover letter, resume and three reference letters to Bruce Moores, c/o IRE Search Committee, 138 Neff Annex, Missouri School of Journalism, Columbia, MO 65211. A review of applications will begin in late January 1997. As affirmative action/equal opportunity employers, IRE and the Missouri School of Journalism encourage minorities, women and persons with disabilities to apply.

ny after having given assurances that the merger would be no problem. And the city's Franchise and Concession Review Committee indicated it would hold renewal of the cable franchise in 1998 hostage to Time Warner's granting Fox News a cable channel in Manhattan. To make space for Fox News, Deputy Mayor Fran Reiter proposed that Time Warner simply bounce the *History* or *Discovery* cable channel over to one of the city's so-called PEG channels, the public interest channels required by law to be dedicated to public, educational, and governmental use. When Time Warner refused, it was then asked to grant a waiver permitting the city to put Fox News on one of the PEG channels instead. News, Deputy Mayor Reiter claimed, is by nature educational. When Time Warner said no to that, too, the city took the position that under the First Amendment, it could do anything it wished with its PEG channels, including putting Fox News on without commercials, or even *with* commercials, whether Time Warner liked it or not. Without bothering to hold hearings, the city announced that it would give Fox News a PEG channel, even though thirty other cable program services had been waiting in line far longer than Fox News for additional cable capacity to open up. Time Warner claimed the city was depriving it of its First Amendment right to program its cable channels without government interference. Fox News claimed that Time Warner was infringing on its First Amendment rights by excluding it from Manhattan.

In yet another odd development, Michael R. Bloomberg, founder of Bloomberg Information Television, claimed his First Amendment rights were being violated, too. "Given that New York is the capital of the financial universe," Bloomberg said, his business news service deserved the same treatment as Murdoch. Seeing the chance to have Bloomberg act as "the beard" in the city's illicit affair with Murdoch, the mayor announced that Bloomberg, too, could have a PEG channel.

A sharply worded temporary restraining order by Federal Judge Denise Cote stopped the city in its

tracks. "This case concerns the power of a city to influence, control, and even coerce the programming decisions of an operator of a cable television system," Judge Cote said. "It therefore goes to the heart of First Amendment concerns." She rebuked the mayor for his brazen efforts to help a political supporter and for abusing his power.

What can be done to improve the nation's cable access policy and end such First Amendment horror stories? First, stop the vertical integration that enables monopoly cable gatekeepers to gain an unfair competitive edge for their own programming interests; prohibit them from owning *any* national cable program networks. Second, require that at least some of the money cable operators pay for their franchises go to support the woefully underutilized, poorly used public service PEG channels. (As of 1990, only 16 percent of all cable systems nationwide had any public access channels, only 13 percent had any educational access, and only 11 percent had government access.) Third, instead of the federal government giving away unused, publicly owned telecommunications spectrum and valuable telecommunications licenses, it should lease them out or auction them off to commercial operators. Then, we should use some of the tens of billions of dollars from those lucrative leases and auctions as a public dividend, to interconnect the nation's homes, schools, libraries, and museums in a great new local and national interactive education and information telecommunications superhighway system. That way, all citizens will gain access to quality children's fare, continuing education, job retraining, civic information, electronic town meetings, free time for candidates, and other vital public services that the Time Warners, Rupert Murdochs, Bloomborgs, and city governments do not supply.

It's time to stop using the First Amendment as a fig leaf for the rich and powerful and restore it to its proper role as protector of unpopular speech. In most hard-fought contests, it's a shame someone has to lose; in this one, it's too bad any of them has to win. ♦

Darts & Laurels

◆ **DART** to *The Harris County Herald*, Pine Mountain, Georgia, for giving new meaning to the concept of campaign finance. In a September 16 memo, the paper's editor, Andy Kober, informed the Jim Chafin for Congress Committee that inasmuch as the committee "chose not to advertise the campaign in this newspaper, and has provided no indication of advertising the campaign in this newspaper, neither the committee nor the candidate should expect or anticipate any free publicity." For an example to be both envied and emulated, the editor helpfully suggested the committee might look to the treatment accorded Chafin's rival: "Incumbent Republican Mac Collins has advertised in this newspaper and on a number of different occasions. When Congressman Collins sends a fax into this office, this fax gets read and frequently published."

◆ **DART** to *The Boston Globe*'s David Warsh, for going far afield in his business column to play political war games. Following his October 15 endorsement of Massachusetts Governor William Weld in the fierce race between Weld and Senator John F. Kerry for a seat in the U.S. Senate, Warsh's October 27 column seemed clearly aimed at demolishing Kerry's reputation as a hero in Vietnam some twenty-eight years before. For his attack, Warsh seized on an insignificant detail offhandedly offered in conversation by a sailor under Kerry's command: the sailor had taken a shot at the enemy soldier whom Kerry then chased and killed in what Kerry described as self-defense. Camouflaged as an investigation ("A new account has raised questions about what happened on a riverbank on the Ca Mau peninsula on February 28, 1969. . . . The events of that day, and their lengthy aftermath, are what this column is about. . . .") but conceding, more than midway through the sniping, that "Without corroborative accounts, all talk about what happened on February 28 necessarily remains conjecture," Warsh's column went on to seriously propose, as a plausible alternative to the "best interpretation" of events as described in the Navy's citation for Kerry's Silver Star, the columnist's own "ugliest possibility" fantasy: "That behind the hootch Kerry administered a coup de grâce to the Vietnamese soldier — a practice not uncommon in

those days, but a war crime nevertheless. . . ." The immediate explosion of public outrage was faced courageously by the *Globe*, with a comprehensive report that included testimony by the senator's former Navy superiors, by retired Admiral Elmo R. Zumwalt, Jr., and by two eyewitnesses — among them, the sailor Warsh had cited — who credit Kerry with saving their lives. Letters to the editor were stronger still, blasting Warsh for his "despicable, empty-handed ambush," and for his "abuse of journalistic power to generate a dust storm around nothing at all." The *Globe*'s ombudsman, Mark Jurkowitz, also dug into the matter, and concluded, "The issue is whether the column belonged in the *Globe*. The answer is no." Fellow columnist James Carroll summed it up well: "Kerry's honor is crystal clear. The question remains, What of the honor of journalism?"

◆ **DART** to WMUR-TV, in Manchester, New Hampshire, for cutting off its nose (for news) to spite its face. Viewers who relied solely on the ABC affiliate to stay on top of the '96 campaign would not have learned much about what went on at various congressional and gubernatorial debates taking place in their area in the fall; indeed, such loyal viewers would not even have known that any of those seven informative events had taken place at all. Three rival news organizations — New England Cable News, the *Manchester Union Leader*, and New Hampshire Public Television — sponsored the debates. Interestingly, a WMUR-sponsored debate in October got ample attention from its rivals, including a page-one story in the *Union Leader*.

◆ **LAUREL** to the *Rumford Falls Times*, and editor Greg Davis, for cracking enough eggs for an investigative omelet. In its December 27, 1995 issue, the 4,700-circulation Maine weekly laid out the rotten conditions imposed on migrant workers at DeCoster Egg Farms, a 14,000-acre operation in nearby Turner where 4.6 million hens produce some 23 million eggs a week. Based on months of surreptitious night-time visits to the company trailer park where the fearful workers live — most of whom are Hispanic and spoke, reluctantly, through the interpreter he

brought along — and verified by the bipartisan group of legislators he took on a pre-publication tour, Davis's report covered some six of the broadsheet's sixteen pages. His graphic account — the subhumanly crowded, filthy, and dangerous housing for the workers and their children, the terrorizing supervisors who waved pistols and knives, the practically nonexistent health care and compensation for injuries and accidents sustained on the job, the absence of time cards and suspected withholding of pay — packed swift results. Four supermarket chains have boycotted DeCoster's eggs. State legislators have prompted investigations by the attorney general's office, the fire marshal's office, and OSHA. DeCoster's operations in other states are being looked at. The U.S. Labor Department has imposed a \$3.6 million fine. The U.S. Department of Agriculture has been asked to review subsidies earmarked for DeCoster. And on September 17, in an in-depth interview with Davis (who is now the managing editor of *The Franklin Journal*, a twice-weekly in Farmington, Maine) Austin J. "Jack" DeCoster outlined the changes he plans to make and promised to "do what's right."

◆ **DART** to Michael Moore, investigative reporter at the Hackensack, New Jersey, *Record*, for repurposing the business of enterprise journalism. As revealed in a Garden State News Service story by statehouse reporter Michelle Pellemans on October 25, Moore had been moonlighting as the sole proprietor of Dig Dirt Investigations, a private agency selling the same kind of nasty information routinely unearthed in the course of his work for *The Record*. Need the names of bad lawyers (\$30), fake universities (\$35), or malpracticing doctors (\$75)? Evicted tenants (\$30), court-martialed soldiers (\$50), or sued reporters (\$47)? Dig Dirt, according to its website page, would provide. It would also provide comprehensive information gleaned from the records of the Department of Motor Vehicles, which extends free and easy access to reporters as a courtesy — a courtesy that, in light of Moore's behavior, is now being reconsidered, possibly through legislation. (Moore has since departed *The Record*.)

◆ **DART** to *Philadelphia Weekly*, editor Tim Whitaker, and free-lance writer Tom McGrath, for a novel approach to journalism. With the attention of its readers riveted last July on the All-Star Game being played in the city of brotherly love, the *Weekly* stepped up to the press plate and delivered a 4,000-word cover story ("The Beauty and the Beast") on the "recently discovered love letters between Jimmie Foxx, one of Philadelphia's all-time great ballplayers, and starlet Judy Holliday." Running over five pages in the tabloid, and illustrated with reproductions of letters handwritten on various hotel stationery, McGrath's highly detailed epistolary exposé traced the affair from its beginning in early April 1945, when Foxx mailed Holliday the photos she had asked for, through late September, when she dumped him. The author's bio box took note of his plans to pub-

lish "the complete collection of the Foxx-Holliday letters in book form." Elsewhere in the issue, Whitaker devoted his entire editor's page to celebrating the discovery involving his hero, who "had always been sold short, even here in his honorary hometown. . . . If publishing these letters . . . will rekindle the memory of a sweet farm boy who loved our city and played his favorite game in our midst with devotion and magnanimity," he concluded, "then it will be worth it." Not everyone, however, would agree, particularly after the *Weekly* admitted the piece was a hoax. As columnist Stu Bykofsky commented in the *Philadelphia Daily News*, "The most shocking part of this mess is that Whitaker offers no apologies. Since he says he's done nothing wrong, he's free to fake another story." Actually, Whitaker promised not to, in his column. "Once in a lifetime," he wrote, "is enough."

◆ **DART** to *The Monitor*, a Freedom newspaper serving the McAllen, Texas-Reynosa, Mexico area, for borderline journalism. Among the items in *The Monitor's* May 13 edition: 1) a page-one "editor's note" apologizing for a February 24 article detailing the unfortunate effects of questionable layoffs on some 1,500 workers at the Zenith production facilities in Reynosa, heart of the country's maquiladora industry — an article to which Zenith had vehemently objected in a letter to the editor published on February 28, and which, the editor now said, had left "inaccurate impressions of Zenith and the maquila industry as a whole"; 2) a twenty-four-page, four-color advertising supplement, "Maquiladoras & Manufacturing Plants: 30 Years of Progress," that included a full-page ad from Zenith; and 3) a "Special to *The Monitor*" report, headed ADVANTAGES OF MAQUILA SYSTEM BOOST 'HECHO EN MÉXICO' LABEL, on the paper's front page. The article carried the alien byline of one Jackie Larson, who appears to have crossed over from her role as editor of the advertising supplement.

◆ **DART** to the *San Antonio Express-News*, for getting the fourth estate mixed up with real estate. Occupying some 300 column-inches of valuable news space in the paper's Sunday, June 9 A-section — 28 inches of which were located in a prime, page-one, above-the-fold spot — was a piece by staff writer David Uhler about the soft market for high-end dream houses in the San Antonio area. And nestled among the four photogenic homes featured was the "classic" \$900,000 mansion that was "recently put on the market" by Larry Walker, publisher of the *Express-News*. Proceeding "at the risk of sounding like an advertisement," as Uhler realistically assessed it, the piece informed readers that, among other things, the Walkers had modernized the bathrooms, enclosed a sun-porch, opened up the kitchen, and given "all the walls a fresh coat of paint."

This column is compiled and written by Gloria Cooper, CJR's managing editor, to whom nominations should be addressed.

SO BIG

The Telecommunications Act at Year One



by Neil Hickey

Backslapping. Glee. Jubilation. High fives. "A Victory for Viewers," the *New York Times* headlined its lead editorial. A "landmark" bill, wrote *The Wall Street Journal*. "This is the first major overhaul of telecommunications law since Marconi was alive and the crystal set was state of the art," trumpeted Thomas Bliley, chairman of the House Commerce Committee. Broadcasters, cablecasters, and telephone executives all declared themselves tickled pink. Four often bitter years of mule-trading, bickering, and take-no-prisoners lobbying by some of the most powerful corporations in America had come to a triumphal end. The architects of the 1996 Telecommunications Act, a trade journal reported, were sure it would create millions of jobs and "unleash a torrent of competition heralding nothing less than the dawn of a new information age." The bill was "the best overall blueprint that any country in the world has ever come up with," said Congressman Edward Markey. President Clinton proclaimed that consumers will enjoy more choice and lower prices and that they'll "continue to benefit from a diversity of voices and viewpoints in radio, television, and the print media. . . . Today with the stroke of a pen, our laws will catch up with the future," he intoned at the signing ceremony on February 8.

Now, twelve months into the new law's life, seems a good moment to pull into a rest stop off the information superhighway to check our road maps and

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**How is
it possible
for fewer
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owners
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learn where we've been and where we think we're going and if that highly acclaimed bridge to our telecommunications future is rickety or sound. One veteran observer called the new law "The Full Employment Act for Telecommunications Lawyers," and that tag has proved prophetic, as the massed legal talent of the affected industries, the Federal Communications Commission, the Justice Department, and dozens of consumer activist groups conduct a talmudic analysis to puzzle out how to tilt the statute their way. At the heart of it is a commendable goal: to haul down the Berlin Wall of barriers that have created de facto monopolies in the cable and telephone industries. It sets the stage for an unbuttoned, free-for-all rivalry between local phone companies, long distance companies, and cable system operators, which holds out the promise, at least, of reducing prices significantly for all three of those services.

Other parts of the law have drawn fire from independent analysts. For example, it removed all limitations on the number of radio stations one company can own nationally, and allowed up to eight per company locally (instead of only four); relaxed the rules about how many TV stations one company can operate; ordered the FCC to consider easing the rule limiting ownership to one TV station per market, as well as the bar to ownership of a newspaper and a broadcast outlet in the same city; permitted common ownership of cable systems and broadcast networks; ended all rate regulation of smaller cable TV systems and promised the same for large ones later on; extended the license term of TV and radio stations to eight years from four; allowed TV networks to start and own another broadcast network if they choose; required that all TV sets come equipped with a V-chip to help screen out violent and sexually explicit shows; imposed prison terms and fines on anybody who transmits pornography over the Internet. Enough loopholes and wiggle room were built into the legislation, however, to keep the FCC staff fully engaged for years.

But far and away the splashiest effect of the new law during the last year has been the historic, unprecedented torrent of mergers, consolidations, buyouts, partnerships, and joint ventures that has changed the face of Big Media in America. A bare few examples:

- Westinghouse/CBS bought Infinity Broadcasting for \$4.9 billion, creating a radio colossus of 77 stations and achieving dominant power in the nation's top ten radio markets, with multiple stations in each.
- Time Warner Inc. and Turner Broadcasting system merged in a \$6.7 billion deal that created the world's largest media company.

- Nynex bought Bell Atlantic for \$22.1 billion, making the new entity the largest regional telephone company in the U.S.

- Two other Baby Bells, SBC and Pacific Tele-
sis, joined forces in a \$16.7 million merger.

- Rupert Murdoch's News Corp. acquired full ownership of New World Communications Group Inc. for \$3 billion, making it the nation's leading television-station owner with 22 outlets.

- U.S. West, a regional Bell company, paid \$10.8 billion for control of Continental Cablevision, the third-largest cable operator in the United States.

- Tribune Company of Chicago purchased Renaissance Communications for \$1.13 billion, making it a 16-station giant with access to a third of America's TV households.

- Worldcom Inc., the fourth-largest long-distance phone company, bought MFS Communications (the leading provider of alternative local phone service to businesses) for \$12.4 billion, creating the first one-stop local/long distance phone company since the Bell System broke up in 1984.

- The A. H. Belo Corporation of Dallas bought the Providence Journal Company for \$1.5 billion, fashioning a media empire of 16 TV stations plus the Food TV Network (a cable network) and such newspapers as *The Dallas Morning News* and the *Providence Journal-Bulletin*.

- Clear Channel Communications boosted its radio station line-up to more than 100 stations, giving it a total audience second only to that of Westinghouse.

- Chancellor Broadcasting Co. bought twelve radio stations from Colfax Communications for \$365 million, giving it 53 stations in 15 markets.

- Gannett acquired Multimedia Entertainment for \$1.7 billion, thereby gaining 10 newspapers (for a total of 92), 5 TV stations (new total: 15), 2 radio stations (for a chain of 13), and a cable operation with subscribers in 5 states.

Factor into those deals the famous \$18.5 billion sale of Cap Cities/ABC to the Walt Disney Co.; Westinghouse's \$5.4 billion takeover of CBS Inc.; Viacom's ingestion of Paramount Communications (which earlier had absorbed Simon & Schuster); and Rupert Murdoch's swallowing up of Twentieth Century Fox, HarperCollins, and *TV Guide*. And to that add the largest and most dramatic foreign takeover of any American company: the \$23 billion buyout of MCI by British Telecommunications announced in November, which will give the U.S. long-distance company a pocketful of cash to lay siege to local phone companies, which is now allowed under the 1996 act.

Virtually all the coverage of this unprecedented deluge of consolidations appeared on the business pages of newspapers (if it appeared at all) and on

cable channels (CNBC, CNNFN) devoted to business news, and thus flew under the radar of most Americans — even though collectively the deals have a prodigious impact on most people's lives and change irrevocably the very shape and texture of the nation's media. While the new law was making its way through Congress to the president's desk, the word "competition," like a Tibetan mantra, was a thunderous accompaniment to the negotiations. President Clinton threatened to veto it because, he insisted, instead of promoting "competition it promotes mergers and concentrations of power." Congress tweaked the bill to get his OK, but it's still the most potent instrument in legislative history for promoting megamergers and consolidations, and for fostering giantism in media companies by relaxing ownership rules and hauling down barriers to inter-industry matrimony.

Thus the question presents itself like a Japanese koan (the scrupulous contemplation of which may or may not lead to enlightenment): how is it possible for fewer and fewer owners to generate greater and greater competition?

And the implications for journalism: how much news will be suppressed and self-censored by news executives and reporters reluctant to invoke the wrath (or even the raised eyebrow) of their corporate overseers who don't want eager-beaver newspeople mucking around in the dealings of the parent companies? Would CBS News give full play to any malfeasance by Westinghouse in a disaster at the power-generation plant in Shanghai, China, where Westinghouse owns a \$100 million, 35 percent interest? It's doubtful, since the Chinese government is famously sensitive to criticism. In August NBC abjectly apologized to China after sportscaster Bob Costas in his on-air commentary at the Olympics referred to "problems with human rights, property rights . . . and the threat posed to Taiwan," as well as to the well-documented use by Chinese athletes of performance-enhancing drugs. NBC parent GE, one needs to know, has huge investments in China (lighting, hospital equipment, plastics), and NBC operates a pair of satellite channels (NBC Asia and CNBC Asia) which aspire to serve the whole Chinese mainland; and GE has an agreement with China Telecom to build a data transmission network. "We didn't intend to hurt their feelings," an NBC vice president explained meekly, in justifying the apology. One trade journal wondered: since when does a network have to apologize for reporting the truth? The answer: ever since news departments have become smaller and smaller potatoes in an ever larger mulligan stew of corporate expansionism. In late November, China threatened to ax all of the

Disney company's massive business interests in China if it went ahead with plans to distribute a Martin Scorsese movie about Tibet's spiritual leader, the Dalai Lama. Disney sells toys, clothing, and other Disneyana in China, and exhibits films such as *Toy Story* and *Jumanji*. "If Disney distributes [the movie called *Kundun*], China won't be happy and that means Disney's business in China will be terminated," warned an official in Beijing. "It's very serious." Disney, to its credit, decided that it would indeed distribute the film. But we may confidently predict that neither ABC, CBS, NBC, nor Fox — nor any cable network connected with them — will ever broadcast a tough documentary on China's brutal treatment of Tibet or its ruthless suppression of the Tiananmen Square democracy movement or its sale of nuclear materials to rogue nations or its expected crack-down on democracy in Hong Kong when it assumes control there on July 1.

This year's merger of Time Warner Inc. and Turner Broadcasting System Inc. has boosted to a whole new level the concerns about how consumers can be caught in the crossfire between emerging media behemoths. That's been dramatized, entertainingly, in New York City recently, where Time Warner (the second biggest cable operator, nationally) is the gatekeeper to the hearts and minds of most cable subscribers. From the moment the TW-Turner nuptials won the blessing of Washington, Time Warner refused to carry Rupert Murdoch's newly minted 24-hour Fox News Channel on its New York City system. Ted Turner in his new seat of power as vice-chairman of TW — so the very logical supposition goes — wanted no further competition for his own all-news channels (CNN, CNNFN, Headline News) and certainly none from Murdoch, whom he loudly and obsessively disdains. One need not be an admirer of Rupert Murdoch to find something "bothersome" in all this, as Mark Cooper of the Consumer Federation of America puts it. No new entry into cable programming can be fully successful nationally without acceptance by both TW and the number one cable giant, TeleCommunications Inc. (which owns 9.9 percent of TW), since together they control access to almost half of all cable subscribers in the U.S. Their interlocking ambitions create "a chilling concentration of common economic interests," Cooper points out. "On the one hand the public understands that concentrated ownership creates problems. On the other, it doesn't know what it's not getting. So when it doesn't receive an additional news channel, it doesn't complain. The difficulty of proving a negative creates a problem for public policy."

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Of all the provisions of the 1996 act, the one that seemed most promising for consumers at the outset is now the one most in tatters

Ruminating on the TW-Turner versus Murdoch shootout in an editorial on October 24 ("Mr. Murdoch's Rage"), *The New York Times* decided: "It is unsettling enough to contemplate a world dominated by a few giant media companies without imagining them being run by spiteful egomaniacs" — calling to mind Murdoch's own history of exclusionary practices: he cancelled the BBC from his Hong Kong-based Star satellite network to appease Chinese bureaucrats who were annoyed with its coverage and has kept CNN off Star as well. On November 10, the *Times* wrote that the TW/Murdoch sideshow proves that the government "has little chance of controlling — or even fully understanding — the newly deregulated communications industry."

Constructing lists of what might be called "hypothetical unethicals" by emerging megamedia is a new parlor game, and a too-easy one. Will TW's *Sports Illustrated* write favorably about any players' strike, now that that lucrative Atlanta Braves franchise is a new member of the family? Will the Providence *Journal-Bulletin* in reviewing The Food TV Network write that its recipes are tasteless and boring, at the risk of annoying the A. H. Belo parent of both of them? Now that Westinghouse owns both all-news radio stations in New York (WCBS and WINS), will it eventually merge their newsrooms to save money, thus neutralizing those historically hotly competitive stations and denying New Yorkers one of their sources of news?

None of those things — and plenty more like them — may ever happen. But for the first time the fields are now tilled and fertilized to make the growth of such weeds not only possible but likely. "What scares me most," says Gene Kimmelman, co-director of the Consumers Union in Washington, "is that eventually we may have most of the big players in cahoots with each other and there will be no one who has a major ownership stake in dissemination of information with a market incentive to criticize. Who's going to blow the whistle? The way the public gets its information will be predominantly controlled by those who are benefiting from a monopolistic environment." William Small, the Larkin Professor of Communications at Fordham (and former president of NBC News) says that, during the act's first year, he has seen no "horrendous examples" of news suppression growing out of the consolidations. "But self-censorship is always the greatest concern. If you're an investigative reporter or producer do you hesitate to do a piece on GE's dealings with the Pentagon? Do you say: why should I get GE mad at the news division, or at me? We'll never know."

Time magazine went out of its way in October to acknowledge this minefield in a prologue by managing editor Walter Isaacson to an article about "the strains" caused by TW's union with Turner. Since *Time* Inc.'s original merger with Warner seven years ago, wrote Isaacson, (which, he confessed, the magazine "initially failed to cover") *Time* faces "a lot more suspicions....[B]ut we learned our lesson quickly..." He went on:

Among the trends in the media world is consolidation, with sprawling corporations owning news organizations and raising the specter of conflicting interests and a less diverse babble of journalistic voices. . . . [I]ndividual press baron[s] can be insidious meddlers. . . . If any readers or watchdog groups discern a pattern of dishonest judgments, they can (and should) flail us. . . . But we promise that the mistakes we make will be due to our editorial fallibility rather than to corporate kowtowing.

Some of the most worrisome fallout of the 1996 act is occurring in the radio industry, where all limitations on how many stations one company can own nationally have been repealed, and the local cap increased to eight. In Memphis, Clear Channel Communications Inc. (which now operates 121 stations nationwide) owns seven outlets, and four of those are targeted at the city's predominantly African-American listeners — giving them a near monopoly voice to that segment of the local population. Art Gilliam, president of WLOK-AM in Memphis (a black-oriented station and one of the few remaining independents in the city), complains he's being squeezed out. "The old Communications Act mandated service to the community by station owners. Local ownership is more likely to provide good community service because those owners are more familiar with their communities and have a vested interest in them. The big change with the new act is in the philosophical approach to what best serves a local community." In Rochester, New York, the American Radio Systems Corp. (ARS) was ordered by the Justice Department in October to slash its ownership from eight stations to four, thereby reducing its stranglehold on the city's radio advertising revenues. That came as a great relief to Andrew Langston, owner of a small, independent African-American-oriented station (WDKX-FM) which he and his wife started from scratch in 1974. The big conglomerated radio chains make it extremely hard "for folks who are black and Hispanic to have a place in radio," he maintains. "Large corporations like ARS are such a dominant force that they can eliminate the small entrepreneur." The Justice Department is embarked on a nationwide review of how mammoth radio chains are exploiting the new law to grab a preemptive share of local radio ad rev-

enues — and forcing divestitures where anti-trust violations seem apparent.

A contrarian view has it that one company owning eight radio stations in a single city can be good for radio news. How's that? Well, says David Bartlett, president of the Radio-Television News Directors Association, an affluent string of stations in the same town creates a deep pool of cash that can be tapped for news and public affairs programs. "There's no shortage of interest on the part of the audience in radio news. But there have been very few stations big enough to afford it," he claims. "I'd much rather have a good news operation that serves six or eight stations in the same city than have none of those stations doing any news because they're owned by separate owners and can't afford to do it. So you may discover in the short and medium term that consolidation may actually lead to a revival of radio news, and that's much to be wished."

Or, another scenario, offered by an urban radio reporter: "If you're a newperson in, let's say, Kansas City, would you prefer that your owner be the big local fatcat, or a station group with headquarters a thousand miles away — which would give you more freedom to cover local news? It depends on who the local fatcat is and how committed he is to independent news. A lot of local owners don't want their golf pals, who run the city, covered in a bad light."

But of all the provisions of the 1996 Telecommunications Act, the one that seemed most promising for consumers at the outset is now the one most in tatters. At the very core of the act was the so-called "two-wire world": no longer would cable TV and regional telephone companies have monopolies, respectively, on video service and local phone service into the home. In a gesture of thrilling *aggiornamento*, the act allowed cable to supply phone service and phone companies to deliver cable programs — so that the resulting hot competition nationwide would drive down the prices of both. But — except for test runs in places like Dover Township, New Jersey, and Alexandria, Virginia — no such boon to consumers is visible anywhere on the horizon. In fact, astonishingly, it never was on the horizon, according to a Clinton administration official who spoke to *CJR* on condition of anonymity:

"One of the real dilemmas we had while this act was being debated was: 'At what point do we admit that the notion of cable and telephony attacking each other's markets is bullshit?' We knew, because we study these things, that this was a lie. It wasn't going to happen. The costs on both sides, and the technological hurdles, are too high. Oh, maybe twenty years from now, but probably not even then. This bill was supposed to

promote competition now, not twenty years from now. My point to you is that everybody in Washington so badly wanted this to happen that they didn't ask the cable and phone companies: 'How much is this going to cost you? How do you plan to finance the crushing costs? How will you conduct a business about which you now know nothing?'" That was the big story that never got written, the source insists. "Everybody missed it. I never saw an article that said categorically, 'This bill is based on a two-wire world and it's not going to happen.' In fact, it was supposed to bring more competition, lower prices, and more services. But so far we've seen more consolidation, higher prices, and no new services."

The handwriting finally appeared on the wall in October when Gerald Levin, the Time Warner c.e.o., told investors that — after spending billions gearing up for telephony — his company was "not interested" in the phone business anymore. A few Wall Streeters are guessing that Time Warner will, in fact, eventually sell off all or parts of its cable TV holdings to reduce its \$17.5 billion debt. And TCI's fabled c.e.o. John Malone is also thinking the formerly unthinkable, according to reports: He "has made the decision that the cable business is not where he wants to be," a Schroder Wertheim analyst told *Business Week* in October. Meanwhile, the phone companies, in spite of grandiose announcements, show zero progress in invading cable's turf. Their proudest initiative was a joint venture of Nynex, Bell Atlantic, and Pacific Telesis, to cobble together a new entity called Tele-TV and to hire away Howard Stringer, CBS's top broadcast executive, to run it and teach them how to get into television. But so far that grandstand play has shown no visible results, and the chances of consumers ever receiving news broadcasts and sports and *Seinfeld* from their local phone companies grow ever slimmer. Nonetheless, some experts continue to believe that cable and telephony will go after each other's business. Greg Simon, chief domestic policy adviser to Vice President Al Gore, told *CJR* that it's going to happen — eventually — but not as fast as many imagined when the act was in preparation.

One big roadblock to cable and long-distance getting into the vastly profitable \$100 million local phone business has been the so-called "interconnection" controversy: namely, how far can the Baby Bells go in blocking those two giant potential competitors from hitchhiking on the local phone lines into consumers' homes? Outfits like AT&T and Sprint need that access — as the law permits — if they are ever to compete for local phone customers. But the Bells have resisted, and it's now in the lap of the courts. It's a rumpus that the public is virtually totally igno-

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rant about, even though, as Andrew Jay Schwartzman of the Media Access Project puts it: "The interconnection is the single most important internal building block of this whole telecommunications transformation, and dramatically affects the rate at which a lot of this change will take place."

With the Republicans once again in control of Congress, a new phase begins in teasing out the 1996 act's ramifications for consumers. Among the large open questions: should common ownership of a newspaper and a broadcast station in the same market be permitted (except for already-existing situations, e.g., the *Chicago Tribune-WGN* and the *New York Post-WNYW*); and should any one entity be allowed to own more than one TV station in the same area? The White House and the Democratic minority will publicly resist any such liberalizations as tending to concentrate more media influence in fewer hands. But one administration insider, speaking off the record, mused that blanket newspaper/broadcasting restrictions are "a totally counterproductive idea" because they prevent a thriving radio or TV station from buying a sickly newspaper and restoring it to health. That could be crucial in a two-newspaper town, the source argues, "where there's one dominant paper and another on its last legs. The rule as it stands contributes to the death of small papers and the creation of newspaper monopolies." Similarly — so goes the theory — there's a potential silver lining in changing the rules to allow one entrepreneur to own two TV outlets in the same market, if that owner promised (for example) to format his second channel as a local all-news station for C-SPAN-like coverage of community affairs, along with live town hall meetings and free political time for office seekers.

As the new telecommunications law blows out the first candle on its birthday cake, the payout benefits are still a mixed bag and its ultimate net rewards for consumers are visible only through a glass darkly. George Gerbner, founder and chairman of the newly formed Cultural Environment Movement, complains that the act passed "in virtual secrecy, without any discussion of its long-range consequences." It "legitimizes monopolies" and "unleashes them on a global market," he insists. Television journalism has become "an adjunct of marketing and thus must be more entertaining and more adjusted to the fantasy world of drama and fiction." Jeff Chester, director of the Center for Media Education, says: "We really have to look at this as rebuilding the communications system from the ground up. It's going to be dominated by a handful of very large, powerful players." Among

big players who own news organizations, the focus "is going to be more on merchandising and entertainment than news." And the stage is set, more so than ever in U.S. media history, for corporate bosses to suppress unwelcome news and otherwise meddle in editorial decisions. The American Society of Magazine Editors meeting in Bermuda in October issued a policy statement — after alleged intrusive actions by owners — declaring that "editors need the maximum possible protection from untoward commercial or other extra-journalistic pressures. It seems appropriate now to make that standard explicit and precise." Broadcast and newspaper journalists are in need, more than ever, of similar explicit and precise assurances.

If there is bad and ambiguous news imbedded in the act, there's good news as well.

- The new law affirms the rights of citizens, as well as schools, hospitals, museums and libraries, to have affordable access to these emerging advanced communications networks.

- Digital broadcasting — which will drastically expand the number of TV signals in every community — holds out at least the promise of vastly greater diversity from our television service.

- Local and long distance phone rates will decline eventually as companies like AT&T, the newly-forged MCI-British Tel and the regional Bells gird for battle against each other.

In truth, diversity of choice for consumers is coming from technology and marketplace forces as much as from governmental tinkering. The direct broadcast satellite industry (DBS), for example, is emerging as the main competitor of cable; from a standing start barely eighteen months ago it now has 5 million subscribers and will have about 20 million soon after the year 2000. And the Internet continues as the most varied and democratic medium yet invented.

Meanwhile, the revolutionary Telecommunications Act of 1996 is being massaged, tickled, vivisected, and anatomized by the administration, Congress, the courts, the Justice Department, and the FCC to discover how its (often very unspecific) provisions ought to work out in the real world. That involves a lot of heavy lifting. In early November, *Broadcasting & Cable* magazine editorialized that nine months after passage of the Act, "the new landscape looks remarkably moribund. . . . All the competition that was to ensue from the most ambitious rewriting of communications law has yet to occur. . . . That's not to say that competition won't come along, but . . . by then today's marketplace may be unrecognizable."

All those high-fives of last February were way premature. ♦

In this town you could be putting out *The New York Times* and people would bitch," says Mike Levy, publisher of *Texas Monthly* and outspoken assayer of all things Austin.

Levy is no doubt right, but he also would agree that Austinites long have had reason to grumble. They live in a city where news should be bubbling as energetically as the limestone springs that feed their beloved Barton Creek. Under the pink-domed capitol at the heart of Austin, a colorful bunch of lawmakers and lobbyists convene every other year to divvy up an \$80-billion biannual budget, while they massage and manipulate the future of the nation's second-most-populous state. A couple of blocks to the north of the capitol, scientists, artists, and scholars at one of the largest state universities in the nation explore issues and ideas with nearly 50,000 students. And on Austin's northern fringes, a concentration of high-tech enterprises rivaling Silicon Valley is spreading amoeba-like into the next county.

One of the fastest-growing cities in the nation, Austin is — or should be — a great news town, but for years, more often than not, the city's news potential seemed to elude the hometown newspaper. While Austin metamorphosed into a thriving city of a half-million people, a city proud of its thriving music and cultural scene and its hip-cowboy style, the *Austin American-Statesman* remained a vestige of the city's recent small-town past.

Joe Holley is a CJR contributing editor.



Editor Rich Oppel

OLD VALUES, NEW LIFE

*The revival of the
Austin American-Statesman*

by Joe Holley

Now, under the leadership of the veteran newsman Rich Oppel, who eschews fads and gimmicks and tries to rely on old-fashioned journalism basics, the paper has begun to wake up.

The *American-Statesman* — second in

size to *The Atlanta Journal and Constitution* in the Cox chain of sixteen dailies and fourteen weeklies — has long been saddled with a reputation for mediocrity, but by the mid-90s, the label "mediocre" would have been complimentary. Readers could expect to find a big front-page photo and a feature about a cute kid or a huggable creature, but finding comprehensive, thoroughly reported hard news was a dicier proposition. For news from city hall — at a time when the city found itself caught up in one contentious issue after another, most having to do with the effects of rapid growth — many residents had come to rely on the homegrown alternative weekly, *The Austin Chronicle*. News about state government, which should have been the *American-Statesman's* franchise, was spotty at best. Blue newspaper wraps in front yards every morning were tangible evidence that *The New York Times* had found a news-hungry market in Austin.

Local cynics joked that the *Statesman* was too quick a read for the bathroom.

"You had a sense that we were dumbing down the paper," a longtime political reporter and columnist, Dave McNeely, recalls. "I remember sitting in on a meeting where the discussion was how to reach the twenty-eight-year-old unmarried mother of two living in Williamson County" — home of

Austin's fastest-growing suburbs — "who makes less than \$25,000 a year. There was some kind of market research that showed the declining readership of women, and Atlanta" — Cox headquarters — "was probably putting on some pressure, but we

PHOTO BY AVE BONAR

were leaving behind the people who were reading us in the first place."

Newsroom morale was as sluggish as a dog-day afternoon in August; it was so bad that the paper was planning to bring in a mediator to try to resolve the tension between Maggie Balough, the longtime editor, and her reporters. Balough had her supporters in the newsroom, but the prevailing notion seemed to be that she wasn't forceful enough to set a tone and direction for the paper. Publisher Roger Kintzel, who came from the news side of the business, knew he wasn't happy with the product, but he couldn't seem to articulate what he wanted — at least in terms that Balough could take and implement. "Maggie was flopping around like a fish in the bottom of a boat," columnist McNeely recalls. "She couldn't figure out what Kintzel wanted."

Their differences erupted on Valentine's Day, 1995 — known thereafter, of course, as the Valentine's Day massacre — when Kintzel fired his editor. (Balough is now the editor of *Quill*, the magazine of the Society of Professional Journalists.)

"My sense of the paper," says Kintzel, now the publisher of *The Atlanta Journal and Constitution*, "is that it wasn't bad, but it wasn't growing. It wasn't growing intellectually; it wasn't growing with the community. Our circulation penetration was beginning to slip."

Kintzel had no lack of applicants for editor, but Oppel wasn't one of them — not initially. Oppel, bureau chief of Knight-Ridder's Washington bureau since 1993, longtime editor of *The Charlotte Observer* before that, was in Dallas in April for the annual convention of the American Society of Newspaper Editors. With his wife, Carol, he flew down to Austin to visit their son, Richard Jr., a reporter in the Austin bureau of *The Dallas Morning News*. The city appealed to him, particularly after a Sunday-morning run on Austin's Town Lake hike-and-bike trail. After two years in Washington, he missed being part of a community and running his own newsroom. He recalls sitting down with a cup of coffee that morning and taking an editor's long look at the *American-Statesman*.

He called Kintzel, who arranged to meet him at the Austin airport just before the Oppels flew home the next morning. "What

LOCAL CYNICS JOKED THAT THE PAPER USED TO BE TOO QUICK A READ FOR THE BATHROOM

Rich didn't know," Kintzel recalls, "was that three or four other editors had made the trip down from Dallas just the day before." In Oppel, however, Kintzel found an editor with both the experience and the reputation to restore respect and credibility to his struggling newspaper. The Oppel era began on July 1.

At 53, Oppel is a short, compact man with a fringe of white hair and the suggestion of pugnacity. After a Florida boyhood and a stint in the Marines, he got his newspaper start on the police beat for the *Tampa Tribune* in 1962. He was an Associated Press reporter in Florida and Michigan, an associate editor of the *Detroit Free Press*, and executive editor of the *Tallahassee Democrat* before spending fifteen years as editor of *The Charlotte Observer*. The *Observer* won three Pulitzers during Oppel's tenure, including the Pulitzer Prize for public service in 1988 for almost ten years of coverage of television evangelist Jim Bakker.

Oppel says he didn't arrive at the *American-Statesman* with a detailed blueprint and timetable for what he wanted to do. "The blueprint occurs in your genes after fifteen or twenty years of editing a newspaper," he says. "Basically I'm a fundamentalist. I believe in accuracy, fairness, and balance. I believe in reporters, great reporters who can write narratives, create characters, reporters who are skeptical and inquisitive. I believe you have and show affection for your community, although not in a pandering way. It's not something you chart out."

Charted or not, changes were quick and noticeable. The cute stories fled the front

page, and stories in general became longer, with greater depth. Reading the paper took longer, in the bathroom or elsewhere.

One of Oppel's first hires was a former *Houston Post* columnist named Juan R. Palomo, who would cover religion, a beat that Oppel had emphasized during his years in Charlotte. (Oppel's wife is a student at the Episcopal Seminary of the Southwest in Austin.) Palomo had been fired by the *Post* in 1991 for attempting to announce in his column that he was gay. When an anti-gay activist tried to mount a crusade against the *American-Statesman* for employing a gay religion writer, Oppel stood up for his reporter. "Oppel basically said 'Fuck you' to the guy," says Evan Smith, *Texas Monthly's* deputy editor, "and he said it over his signature. That was impressive."

Oppel had been in Austin only a couple of months when the city council authorized a secret settlement with the South Texas Nuclear Project, a multibillion-dollar nuclear-power plant originally financed by Austin, Houston, and other Texas cities. Alleging that equipment in the long-delayed, hugely expensive plant was defective, the city had sought more than \$1 billion in damages. Oppel warned that the paper would go to court to have the settlement made public. "This is the taxpayers' and the rate payers' money, and they deserve to know whether the city is coming out of this with a fair deal," he was quoted as saying in an *American-Statesman* story about the settlement. "We believe there is no reason for secrecy here." The *American-Statesman* got the information.

Investigative reporting began to appear with some regularity. Veteran statehouse reporter Mike Ward found that the huge Texas prison system had spent \$33 million to buy a bad-tasting, soy-based meat substitute called VitaPro, to be fed to inmates and marketed to other states. Ward also reported that the prison director who arranged for the deal, reached without competitive bids, subsequently quit to become a thousand-dollar-a-day consultant to the company that produced VitaPro. In another story, the paper found extremely loose accounting, sloppy contract procedures, and poor management at Capital Metro, the city's public transportation agency, and did a thorough job of investigating the inner

workings of the rapidly expanding Austin Community College District.

American-Statesman reporter Diana Dworin found waste, inefficiency, and mismanagement in the Austin Housing Authority, an agency with an annual budget of \$20.8 million. Dworin also found that deserving families were sometimes on a waiting list for a year while good apartments sat vacant. Business writer Kirk Ladendorf went to South Korea and came back with an interesting and thorough three-day series on Samsung Electronics, the Korean company that's building a \$1.3 billion memory chip plant in Austin, its first in the United States.

As one veteran reporter put it, "We've always had good people here, but we needed a leader, someone who could point us in the right direction. Oppel has the experience and the confidence to do that."

Kathy Warbelow, who worked for Oppel in Detroit in the late 1970s, left the *Detroit Free Press* last March to become the *American-Statesman's* managing editor. Shortly before she arrived in Austin, the *American-Statesman* broke a story that questioned the lucrative contract the city had awarded to build Austin's new international airport. Primarily in response to the *American-Statesman* investigation, the city revoked the first contract and accepted a second one that turned out to be \$13 million lower.

"I was in the D-FW Airport," Warbelow recalls, "and there was this guy from Dripping Springs" — a small town west of Austin — "and when I told him I was moving to Austin to work for the *American-Statesman*, he just went on and on about what the paper had done on the airport story. He kept saying, 'That was really a coup!' He was feeling that the newspaper had really done something for him, had really done something for taxpayers."

Oppel also assumed a higher profile in the community than his predecessor had. From the beginning, he has written a Sunday column, and he hasn't been reluctant to provoke. "This is a weird city," he wrote early on. "I haven't seen such a lust for conflict since I covered the Miami Beach City Council 25 years ago. An Austin moderate is someone who is low on ammo."

In another column, he dared tweak the

OPPEL WANTS EDITORIAL WRITERS WHO ARE "SPECIALISTS, EXPERTS, AND VISIBLE IN THE COMMUNITY. I DON'T WANT WIMPS"

vocal Austin environmental community. "I have earnestly tried to generate appropriate Austin angst for the Barton Springs salamander," he wrote. "But I am more interested in understanding why this city seems to have no vision that energizes long-term planning."

At the same time, Oppel was willing to take on Jim Bob Moffett, the environmental community's bête noire. Moffett, chairman of a Louisiana-based multinational mining company called Freeport-McMoRan, took the City of Austin to court for opposing some of his efforts to construct a 4,000-acre residential and commercial development in the environmentally sensitive Barton Springs watershed.

In December 1995, Moffett threatened to sue three University of Texas professors, two environmental activists, and two reporters from *The Austin Chronicle* for criticizing the company's environmental record in Louisiana and Indonesia and for calling attention to a report that seemed to implicate Freeport-McMoRan in human-rights abuses in Indonesia. Moffett's tactics prompted the *American-Statesman's* new editor to blast the company in a December 15 column. (See "A Fire-Breather Gets Scorched," *CJR*, March/April 1996.) "As long as the discussion follows sane guidelines, we stand with *The Austin Chronicle*, the environmentalists and the professors who received the threatening letters," he wrote. "Let the debate go on. Let the threats be withdrawn."

Austinites noticed, partly because during Roger Kintzel's tenure as *American-Statesman* publisher, the paper had usually sided with Freeport-McMoRan and the

company's real-estate arm, FM Properties, in its frequent bitter disputes with the Austin City Council.

By the end of 1996, the consensus inside the newsroom and out was that the *American-Statesman* still has a way to go but is a much improved product. "Oppel has dramatically improved the front part of the paper," says Louis Black, editor of the *Austin Chronicle*, "he's put together an arts and culture staff that's incredibly strong, and their coverage of the city council has improved dramatically. It used to be that the council wasn't a story for them."

"It's left behind its reputation for flakiness," says Paul Burka, *Texas Monthly's* executive editor. "It's a solid newspaper."

The paper's circulation is solid, as well. According to figures released in November 1996 by the Audit Bureau of Circulations, only the *American-Statesman* and the *Houston Chronicle* showed growth among the biggest papers in Texas in the past year. The *American-Statesman's* average daily circulation was up 2 percent, to 181,272, while Sunday circulation increased slightly, to 239,898. *American-Statesman* publisher Mike Laosa was quoted as saying that he hoped the circulation figures reflected the quality of the product, but he also credited the strong Central Texas economy for some of the paper's growth. He noted that the paper's market penetration was keeping up with the growth in the number of households.

Trying to keep up with Austin-area growth helps explain why Oppel found himself on a Tuesday night sitting at a makeshift rostrum in the food court of the recently opened Lakeline Mall. It is here on the Travis County-Williamson County border that the Austin-area population is exploding. Oppel, competing with dining noises from the nearby Philly Grill and Jalapeños Cocina, is attempting to explain to perhaps a hundred listeners that the *American-Statesman* now views itself as more than an Austin paper. The bureau covering the area, he explains, has increased from one or two people to ten, and instead of creating a special section, the paper is seeking to incorporate Williamson County news into the regular news flow.

Sitting at booths and tables in the food court, Oppel's listeners are eager to engage the editor. One man angrily gestures toward Oppel and in a strident voice accuses the paper of lying, of deliberately slanting its coverage leftward. A young woman who identifies herself as a twenty-four-year-old school teacher also attacks the paper's "lies." Oppel responds courteously but firmly.

Other questioners — a number of them complimentary — want to know why Mexican stocks can't be reported in dollars, why the paper doesn't offer more hunting and fishing coverage, and why the *American-Statesman* tolerates the liberal leanings of Ben Sargent, its Pulitzer Prize-winning editorial cartoonist. "Most cartoonists," Oppel says, "operate from the left. They're revolutionaries, bomb-throwers. They operate from a different ethos. They aim at the viscera."

But someone from another political perspective blasts the paper for endorsing U.S. Senator Phil Gramm in his race for re-election against Victor Morales, the Democrat. Morales, the high-school government teacher whose quixotic campaign against a well-funded incumbent attracted nationwide attention, no doubt expected the *American-Statesman*'s endorsement, since the paper almost always reflects the tendencies of Travis County, the most reliably Democratic county in an increasingly Republican state. The *American-Statesman* surprised, arguing that Morales had never developed a compelling rationale for his candidacy and recommending a vote for the candidate who was better able to look out for Texas's interests in Washington.

Some readers — including some *American-Statesman* staff members — saw the Gramm endorsement as Oppel pandering to a presumably more conservative Williamson County readership. Others speculated that publisher Laosa exerted his prerogative. Some members of the editorial board had argued that the paper would look silly endorsing arch-foe Gramm and that it should make no endorsement. But Oppel took the position that since the voter had to make a decision, the paper should, too. He won't say who decided what about Gramm, but "I knew Phil Gramm from Washington," he says, "and I also know he's not what he's stereotyped to be. And as far as Williamson

County affecting editorial policy, it's important only in the broad sense that we don't see ourselves as only an 'Austin City Limits' newspaper. It's important to see ourselves as what we're becoming, a Central Texas newspaper." Oppel says he wants strong editorial writers — "I want them to be specialists, experts, and I expect them to be visible in the community and respected. I don't want wimps" — but he also says he will sometimes overrule them.

The Phil Gramm flap came and went with the election, but this being Austin, criticism and second-guessing come with the territory.

"The paper's more lively, and Oppel's made some good hires, but I think he's hit a wall," *Texas Monthly*'s Evan Smith observes. Smith argues that the paper has yet to figure out how to effectively cover Austin's indigenous high-tech culture; that it overuses wire copy, particularly on the front page; that its tongue-lolling pursuit of the rapidly growing suburban market threatens to thin out its coverage of downtown issues; that he should have hired columnist Molly Ivins and other distinctive voices; and that *XLent*, its weekly entertainment magazine, is a pallid imitation of *The Austin Chronicle*.

Oppel isn't shy about responding to this and other criticisms:

- On wire copy: "I like *The New York Times* a great deal," he says. "I tell our editors to be on the lookout for [Times] stories that move around seven p.m. for our front page and section fronts. At the same time, we're using a lot of local and regional material, and we've developed a closer alliance with our Washington bureau."

- On *XLent*: "The *Chronicle* is an alternative weekly that has picked up an idiosyncratic personality that most alternatives don't have," he says, "with a focus on politics that's a reflection of the failure of the *American-Statesman* over the years. We'll beat their asses on political coverage. We have a better fleet of critics than they can ever hope to have."

- On covering high tech: Oppel says he is taking a look at the four-person team the *San Jose Mercury News* has assigned to cover everyday life in Silicon Valley. "The transformation of the work ethic and the work place because of computers is a great missed story," he says. He believes that something similar to the *Mercury News* approach might be a way to get at the story as it evolves in Austin.

- On diversity, or lack of it, at the paper: "Look at my commitment to minority employment and advancement in Charlotte and in the Washington bureau," he says. "In Charlotte, we had 50 percent men, 50 percent women and 25 percent minorities. In Washington, we had a blue-chip staff, put together by me. Look at our hiring here, and you'll see that I value diversity."

Oppel says he has always been opposed to assigning reporters to the black community or the Hispanic community or some other specified area. "I insist on mainlining minorities into the ongoing coverage of the paper," he says.

One hot rumor has it that Oppel is not long for the *American-Statesman*, that he's moving soon to Cox's crown jewel, the *Journal* and *Constitution*, to become managing editor and editor-in-waiting. Oppel says no, "I'm very happy and fully engaged here." Indeed, he does seem delighted with his current job.

On a recent Saturday morning, Oppel was scurrying about the capitol rotunda overseeing the Sunday paper's large front-page photo of nearly a hundred Texas writers who had gathered in Austin for a literary festival spearheaded by Laura Bush, the wife of the governor. The capitol — built for giants and inhabited by pygmies, political writer Robert Sherrill once observed — soon will be the scene for Oppel's next big test: coverage of the always quirky, occasionally corrupt Texas legislature, which convenes in January for its often-stormy six-month biennial session. Oppel says he intends to track welfare as it becomes more of a state responsibility, tax reform issues, state spending on prisons and other big institutions, and the big-money influence of Austin's bread-and-butter businesses — lawyers, lobbyists, and trade associations.

"That big pink building is our tire and rubber factory," political reporter McNeely says of the capitol, "and we ought to be the paper that lawmakers read to help them set their priorities. If we can do that, it reverberates not just statewide, but nationwide."

"A good newspaper," Oppel wrote after his first week in Austin, "shows hustle, energy and wit. A newspaper ought to jump all over the big story and bristle with urgency. It should reflect the humor of the human condition." As lawmakers descend on the city in a few weeks, Oppel's newspaper has a chance to do all that. ♦

Anatomy of a Story

Crack, the Contras, and the CIA:

The Storm over "Dark Alliance"



Gary Webb,
author of
"Dark Alliance"

by Peter Kornbluh

After Gary Webb spent more than a year of intense investigative reporting and weeks of drafting, his editors at the *San Jose Mercury News* decided to run his three-part series late last August, when the nation's focus was divided between politics and vacation. The series, **DARK ALLIANCE: THE STORY BEHIND THE CRACK EXPLOSION**, initially "sank between the Republican and Democratic Conventions," Webb recalls. "I was very surprised at how little attention it generated."

Webb needn't have worried. His story subsequently became the most talked-about piece of journalism in 1996 and arguably the most famous — some would say infamous — set of articles of the decade. Indeed, in the

five months since its publication, "Dark Alliance" has been transformed into what *New York Times* reporter Tim Weiner calls a "metastory" — a phenomenon of public outcry, conspiracy theory, and media reaction that has transcended the original series itself.

The series, and the response to it, have raised a number of fundamental journalistic questions. The original reporting — on the links between a gang of Nicaraguan drug dealers, CIA-backed counterrevolutionaries, and the spread of crack in California — has drawn unparalleled criticism from *The Washington Post*, *The New York Times*, and the *Los Angeles Times*. Their editorial decision to assault, rather than advance, the *Mercury News* story has, in turn, sparked critical commentary on the priorities of those pillars of the mainstream press.

Yet in spite of the mainstream media, the allegations generated by the *Mercury News* continue to swirl, particularly through communities of color. Citizens and journalists alike are left to

weigh the significant flaws of the piece against the value of putting a serious matter, one the press has failed to fully explore, back on the national agenda.

DRUGS AND CONTRAS REDUX

Although many readers of the *Mercury News* articles may not have known it, "Dark Alliance" is not the first reported link between the contra war and drug smuggling. More than a decade ago, allegations surfaced that contra forces, organized by the CIA to overthrow the Sandinista government in Nicaragua, were consorting with drug smugglers with the knowledge of U.S. officials.

The Associated Press broke the first such story on December 20, 1985. The AP's Robert Parry and Brian Barger reported that three contra groups "have engaged in cocaine trafficking, in part to help finance their war against Nicaragua." Dramatic as it was, that story almost didn't run, because of pressure by Reagan administration officials (see "Narco-Terrorism: A

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PHOTOS: SAN JOSE MERCURY NEWS

Tale of Two Stories," *CJR*, September/October, 1986). Indeed, the White House waged a concerted behind-the-scenes campaign to besmirch the professionalism of Parry and Barger and to discredit all reporting on the contras and drugs.

Whether the campaign was the cause or not, coverage was minimal. While regional papers like the *San Francisco Examiner* — which ran a June 23, 1986 front-page exposé on Norvin Meneses, a central figure in the *Mercury News* series — broke significant ground on contra-drug connections, the larger papers and networks (with the exception of CBS) devoted few resources to the issue. The attitude of the mainstream press was typified during the November 1987 press conference held to release the final report of the Congressional Joint Iran-Contra Committees. When an investigative reporter rose to ask the lead counsel of the committees whether the lawmakers had come across any connection between the contras and drug-smuggling, a *New York Times* correspondent screamed derisively at him from across the aisle: "Why don't you ask a serious question?"

Even when a special Senate subcommittee on Terrorism, Narcotics, and International Operations, chaired by Senator John Kerry, released its long-awaited report, *Drugs, Law Enforcement and Foreign Policy*, big-media coverage constituted little more than a collective yawn. The 1,166-page report — it covered not only the covert operations against Nicaragua, but also relations with Panama, Haiti, the Bahamas, and other countries involved in the drug trade — was the first to document U.S. knowledge of, and tolerance for, drug smuggling under the guise of national security. "In the name of supporting the contras," the Kerry Committee concluded in a sad but stunning indictment, officials "abandoned the responsibility our government has for protecting our citizens from all threats to their security and well-being."

Yet when the report was released on April 13, 1989, coverage was buried in the back pages of the major newspapers and all but ignored by the three

major networks. *The Washington Post* ran a short article on page A20 that focused as much on the infighting within the committee as on its findings; *The New York Times* ran a short piece on A8; the *Los Angeles Times* ran a 589-word story on A11. (All of this was in sharp contrast to those newspapers' lengthy rebuttals to the *Mercury News* series seven years later



Juan Norvin Meneses Cantarero

Citizens and journalists are left to weigh the significant flaws of the series against the value of putting a serious matter back on the national agenda

— collectively totalling over 30,000 words.) ABC's *Nightline* chose not to cover the release of the report.

Consequently, the Kerry Committee report was relegated to oblivion; and opportunities were lost to pursue leads, address the obstruction from the CIA and the Justice Department that Senate investigators say they encountered, and both inform the public and lay the issue to rest. The story, concedes Doyle McManus, the Washington bureau chief of the *Los Angeles Times*, "did not get the coverage that it deserved."

EVOLUTION OF A METASTORY

The *Mercury News* series "touched a raw nerve in the way our stories hadn't," observes Robert Parry. One reason is that Parry and Barger's stories had focused on the more antiseptic smuggling side of drug trafficking in far-off Central America. Webb's tale brought the story home, focusing on what he

identified as the distribution network and its target, the inner cities of California. Particularly among African-American communities, devastated by the scourge of crack and desperate for information and answers, Webb's reporting found ready constituencies. From Farrakhan followers to the most moderate of black commentators, the story reverberated. "If this is true, then millions of black lives have been ruined and America's jails and prisons are now clogged with young African-Americans because of a cynical plot by a CIA that historically has operated in contempt of the law," wrote Carl T. Rowan, the syndicated columnist.

The wildfire-like sweep of "Dark Alliance" was all the more remarkable because it took place without the tinder of the mainstream press. Instead, the story roared through the new communications media of the Internet and black talk radio — two distinct, but in this case somewhat symbiotic, information channels.

With the Internet, as Webb put it, "you don't have *The New York Times* or *The Washington Post* to bust a national story anymore." Understanding this media reality, Mercury Center, the *Mercury News*'s sophisticated online service, devoted considerable staff time to preparing for simultaneous online publishing of the "Dark Alliance" stories on the World Wide Web. In the online version, many of the documents cited in the stories were posted on the Mercury Center site, hyperlinked to the story; audio recordings from wiretaps and hearings, follow-up articles from the *Mercury News* and elsewhere, and, for a time, even Gary Webb's media schedule were also posted.

As Webb began giving out his story's Mercury Center website address (<http://www.sjmercury.com/drugs/>) on radio shows in early September, the number of hits to the Center's site escalated dramatically, some days reaching as high as 1.3 million. Over all, Bob Ryan, who heads Mercury Center, estimates a 15% visitor increase since the stories appeared. "For us," he says, "it has certainly answered the question: Is there anyone out there listening?"

The demographics of Web traffic are unknown, but some media specialists believe that the rising numbers at Mercury Center in part reflect what the *Chicago Tribune* syndicated columnist Clarence Page calls an emerging "black cyber-consciousness." Online newsletters and other net services made the series readily available to African-American students, newspapers, radio stations, and community organizations. Patricia Turner, author of *I Heard it Through the Grapevine*, the definitive study on how information travels through black America, suggests that this marked the "first time the Internet has electrified African-Americans" in this way. "The 'black telegraph,'" noted Jack White, a *Time* magazine columnist, referring to the informal word-of-mouth network used since the days of slavery, "has moved into cyberspace."

Black-oriented radio talk shows boosted this phenomenon by giving out the website address. At the same time, the call-in programs themselves became a focal point of information and debate. African-American talk-show hosts used their programs to address the allegations of CIA complicity in the crack epidemic, and the public response was forceful. The power of talk radio was demonstrated when Congresswoman Maxine Waters was a guest on WOL's Lisa Mitchell show in Baltimore on September 10, and announced that the Congressional Black Caucus meeting that week would address the issues raised by "Dark Alliance." Two hundred people were expected; nearly two thousand attended.

Political pressure, organized at the grassroots level around the country and channeled through the Black Caucus in Washington, pushed both the CIA and the Justice Department to initiate internal investigations into the charges of government complicity in the crack trade. In November, John Deutch, then the director of the CIA, even left the secure confines of Langley headquarters to travel to Watts and address a town meeting of concerned citizens on the *Mercury News* allegations — an unprecedented event.

By then, the "Dark Alliance" series had become the journalistic *Twister* of

1996, with information, misinformation, allegations, and speculations hurtling across the airwaves day after day. A common charge emerged on black talk-radio programs: the U.S. government had conspired to use the crack trade to deliberately harm the African-American community. "CIA" now meant "Crack in America," or as Rep. Cynthia McKinney stated on the floor of Congress, "Central Intoxication Agency." Thousands of copies of "Dark Alliance" were handed out at town meetings across the country, playing "into the deepest fears — sometimes plunging into paranoia — that have haunted the subject of race in America," *The Boston Globe* editorialized in October. "We've always speculated about this," said Joe Madison, a Washington talk-show host, who along with the activist Dick Gregory was arrested in front of the CIA in mid-September in an act of civil disobedience. "Now we have proof."

THE STORIES THEMSELVES

In the very first *Washington Post* treatment of the *San Jose Mercury News* phenomenon — appearing in the Style section on October 2 — media reporter Howard Kurtz noted "just one problem" with the controversy: despite broad hints, Gary Webb's stories never "actually say the CIA knew about the drug trafficking." In an interview with Kurtz, Webb stated that his story "doesn't prove the CIA targeted black communities. It doesn't say this was ordered by the CIA."

What did the *Mercury News* stories actually say? The long three-part series covered the lives and connections of three career criminals: "Freeway" Ricky Ross, perhaps L.A.'s most renowned crack dealer in the 1980s; Oscar Danilo Blandon Reyes, a right-wing Nicaraguan expatriate, described by one U.S. assistant district attorney as "the biggest Nicaraguan cocaine dealer in the United States"; and Juan Norvin (Norwin in some documents) Meneses Cantarero, a friend of the fallen dictator Anastasio Somoza, who allegedly brought Blandon into the drug business to support the contras and sup-

plied him, for an uncertain amount of time, with significant quantities of cocaine.

The first installment of the series, headlined 'CRACK' PLAGUE'S ROOTS ARE IN NICARAGUAN WAR, opened with two dramatic statements:

For the better part of a decade, a San Francisco Bay Area drug ring sold tons of cocaine to the Crips and Bloods street gangs of Los Angeles and funnelled millions in drug profits to a Latin American guerrilla army run by the U.S. Central Intelligence Agency.

The second paragraph, which captured even more public attention, read:

This drug network opened the first pipeline between Colombia's cocaine cartels and the black neighborhoods of Los Angeles, a city now known as the 'crack' capital of the world.

The rest of the article attempted to flesh out those assertions and explain "how a cocaine-for-weapons trade supported U.S. policy and undermined black America."

The second installment, entitled ODD TRIO CREATED MASS MARKET FOR 'CRACK,' provided far more detail on the alliance between Ross, Blandon, and Meneses and their role in the crack explosion. Part three, WAR ON DRUGS' UNEQUAL IMPACT ON U.S. BLACKS, focused on an issue that outrages many in the African-American community: sentencing discrepancies between blacks and whites for cocaine trafficking, as illustrated by the cases of Blandon and Ross. Ross received a life sentence without the possibility of parole; Blandon served twenty-eight months and became a highly paid government informant.

In a defense of Webb's work published in the *Baltimore Sun*, Steve Weinberg, a former executive director of Investigative Reporters & Editors (and a *CJR* contributing editor), argues that the reporter

took the story where it seemed to lead — to the door of U.S. national security and drug enforcement agencies. Even if Webb overreached in a few paragraphs — based on my careful reading, I would say his overreaching was limited, if it occurred at all — he still had a compelling, significant investigation to publish.

Indeed, the series did provide a groundbreaking and dramatic story of two right-wing Nicaraguans with clear — although not necessarily strong — connections to the FDN “freedom fighters,” who became major drug dealers, inexplicably escaped prosecution, and made a significant contribution to the thousands of kilos of coke that flowed into the inner cities of California. “They pay cash,” a wiretapped audio on the website records Blandon as telling an associate who complained he didn’t “like niggers.” Blandon continues: “I don’t deal with anybody else. They buy all the time. They buy all the time.” Blandon’s grand jury and trial testimony — which Webb often over-dramatically sources as “court

records” — along with a 1986 sheriff’s department search warrant and affidavit and a 1992 Probation and Parole Department report, documented that an undetermined amount of drug funds was going into the contra coffers, possibly as late as 1986.

Far less compelling was the evidence the *Mercury News* presented to tie the Nicaraguans to the CIA itself. But not for lack of trying. Speculative passages like “Freeway Rick had no idea just how ‘plugged’ his erudite cocaine broker [Blandon] was. He didn’t know about Norwin Meneses or the CIA,” were clearly intended to imply CIA involvement. As implied evidence of CIA knowledge of and participation in the drug trade, the articles emphasized the meetings between Blandon and Meneses (identified without supporting evidence as FDN officials) and FDN leaders Adolfo Calero (identified without corroboration as “a longtime CIA operative”) and Enrique Bermudez (identified as a “CIA agent”). To be sure, the FDN was, as the articles described it, the “CIA’s army” — a paramilitary force created, trained, financed, equipped, and largely directed by the CIA. Nevertheless,

the articles failed to distinguish between CIA officers who ran the contra war — none of whom are identified or quoted in the articles — and Nicaraguan “agents” or “operatives” such as Calero and Bermudez, who were put on the CIA payroll for purposes of control, support, and/or information. While to some this may seem a trivial distinction — “It doesn’t make any difference whether [the CIA] delivered the kilo themselves,



Oscar Danilo Blandon
Reyes

Blandon’s statement was intriguing, but neither Webb nor his editor seemed to have noticed that it contradicted the thrust of “Dark Alliance”

or they turned their heads while somebody else delivered it, they are just as guilty,” Representative Maxine Waters said in one L.A. forum — the articles did not even address the likelihood that CIA officials in charge would have known about these drug operations.

Moreover, a critical passage Webb wrote to suggest that Blandon himself had CIA connections that the government was trying to cover up, quoted court documents out of context. Webb reported that “federal prosecutors obtained a court order preventing [Ross’s] defense lawyers from delving into [Blandon’s] ties to the CIA.” He then quoted this motion to suppress as stating that Blandon “will admit that he was a large-scale dealer in cocaine, and there is no additional benefit to any defendant to inquire as to the Central Intelligence Agency.” But Webb omitted another part of that sentence, which reads, “the threat to so inquire is simply a gambit,” as well as the opening paragraph of the motion, which states:

The United States believes that such allegations are not true, and that the threat to make such allegations is solely intended to dissuade the United States from going forward with the prosecution. . . .

These omissions left the impression that Assistant U.S. Attorney L.J. O’Neale was attempting to conceal a CIA connection, when a reading of the full motion showed that his stated purpose was to keep Ricky Ross’s defense lawyer from sidetracking the prosecution.

Blandon, according to Webb’s story, implied CIA approval for the cocaine trafficking when he told a federal grand jury in San Francisco that after the contras started receiving official CIA funds, the agency no longer needed drug money. “When Mr. Reagan get in the power, we start receiving a lot of money,” he stated. “And the people that was in charge, it was the, the CIA, so they didn’t want to raise any [drug] money because they have, they had the money that they wanted.” At that point, he

said, “we started doing business by ourselves.”

Intriguing as that statement is, neither Webb nor his editors appear to have noticed that it contradicted the thrust of “Dark Alliance.” Ronald Reagan came to power in 1981; the CIA received its seed authorization of \$19.9 million later that year to organize the covert war against Nicaragua. If Blandon and Meneses stopped supporting the FDN at that point, it could not be true that “for the better part of a decade” drug profits in the millions were channeled to the contras. Nor, then, could it be true that this dark alliance with the contras was responsible for the crack epidemic in California in the early 1980s.

This inconsistency demonstrates the overarching problem in the series: the difficulty in using Blandon’s grand jury and court testimony, which is often imprecise — Blandon at one point appeared to date Reagan’s rise to power in 1983 — and contradictory. Particularly regarding the timeline of when he met Meneses, supported the contras, broke with Meneses, and became Ricky Ross’s mentor and supplier — a series of dates critical to the central allegation, that this

Nicaraguan drug ring opened the inner city market to the crack trade to finance the contra war — Blandon's testimony and other documents are vague or inconsistent or both.

In an unusual follow-up evaluating the controversy over "Dark Alliance," thirty-year *Mercury News* veteran Pete Carey reviewed the discrepancies in Blandon's testimony and other records. Webb, according to Carey, acknowledged that it would be damaging to the series "if you looked only at the [Blandon] testimony. But we didn't. We looked at other sources." The other evidence, Carey pointed out, included the 1986 L.A. County Sheriff's affidavit for searching the homes of Blandon in which "three confidential informants said that Blandon was still sending money to the contras." While Carey laid out all the differing evidence "for the readers to make up their own mind," he says, the original series did not. That omission left the series wide open to attack.

THE MEDIA RESPONSE

Initially the national media greeted the series with a deafening silence. No in-depth articles were published in the major papers in the month of September on the growing controversy. The networks were similarly silent that month, with the exception of CNN, which ran several pieces, and NBC, which did an in-depth *Nightly News* report on September 27. Despite pressure from some staffers and outsiders, Ted Koppel's *Nightline* did nothing until November 15, when CIA Director Deutch held his town meeting in Watts; PBS's *NewsHour* with Jim Lehrer also used the Deutch peg for its first piece on the subject, on November 18.

In some cases, the absence or delay of coverage reflected the deep-rooted skepticism of veteran reporters who had covered the contra war. One newspaper reporter who has written on intelligence for a decade compared the articles to "a crime scene that has been tampered with," rendering the true story difficult to obtain. "Dark Alliance," he suggested, was "a stew of hard fact, supposition, and wild guesswork." For David Corn of *The Nation*, Webb's "claims were not well

substantiated; that was pretty obvious from reading the story." *The New York Times*'s Weiner agreed that the opening declaration that millions in drug funds had been kicked back to the contras "was unsupported in the body of the story." Upon first read, the *Los Angeles Times*'s Washington bureau chief, Doyle McManus, thought "Dark Alliance" was "a hell of a story"; after further review, he concluded that "most of the things that are new aren't true, and most of the things that are true aren't new." Of all the contra-war journalists polled, only the one who originally broke the contra/drug story, Robert Parry, felt "Dark Alliance" was credible. "It didn't strike me as 'Oh wow, that's outlandish.'"

It was public pressure that essentially forced the media to address Webb's allegations. *The Washington Post*, after an internal debate on how to handle the story, weighed in first on October 4 with *THE CIA AND CRACK: EVIDENCE IS LACKING OF ALLEGED PLOT*, a lengthy — and harsh — report written by Roberto Suro and Walter Pincus. "A *Washington Post* investigation," the article declared, had determined that "available information does not support the conclusion that the CIA-backed contras — or Nicaraguans in general — played a major role in the emergence of crack as a narcotic in widespread use across the United States" — an odd argument since "Dark Alliance" had focused mostly on the rise of crack in California. The article emphasized parts of Blandon's court testimony, where he limited the time he was connected to the contras to 1981-82, but failed to mention, let alone evaluate, contradictory evidence that Blandon's drug money was being laundered through a Miami bank for contra arms purchases possibly into 1986. The Suro/Pincus dismissal of the series, combined with a companion piece on the black community's susceptibility to conspiracy theories, only served to stir the controversy.

On October 21, *The New York Times* covered the same ground as the *Post* — finding "scant proof" for the *Mercury News*'s contentions — but with a more measured approach. A

lengthy article by Tim Golden, *THOUGH EVIDENCE IS THIN, TALE OF CIA AND DRUGS HAS LIFE OF ITS OWN*, examined how and why "Dark Alliance" had resounded throughout African-American communities, the problems with the evidence, and the politics surrounding the issue.

Long as it was, the Golden piece was overshadowed by a massive three-part rebuttal in the *Los Angeles Times* that began on October 20. Unlike the East Coast papers, the *Los Angeles Times* had been scooped in its own backyard about events that took place in its own city. "When I first saw the series," Leo Wolinsky, Metro editor for the *Times* told *L.A. Weekly*, "it put a big lump in my stomach." Still, it took almost a month for editors (who blame vacation plans and the conventions for the delay) to begin to focus on how to follow up on the *Mercury News*. A query to the Washington bureau for direction and advice brought a substantive memo, written by McManus, that made three points:

- The Washington bureau had no expertise on the history of crack in California; the L.A. desk would have to take up that issue on its own.
- There had been earlier reporting on the contras and drugs, including in California — most notably by Seth Rosenfeld of the *San Francisco Examiner* in 1986. Although the lead allegation of "millions" in drug revenues going to the contras was not substantiated, "There is something there."
- The allegations of government protection of Meneses and Blandon from prosecution were the "most convincing and troubling" part of the *Mercury News* exposé and fertile ground for further investigation. On that, the memo recommended a full-court press.

As McManus characterized his response, "I said: 'This goddamn thing is full of holes. There is no sourcing or terribly weak sourcing in the story. There is phraseology in here that is dishonest. But it is obviously worth going back and seeing what we can establish.'"

Both McManus and Wolinsky deny that the *Times* response was ever intended, as Wolinsky put it, "as a

knockdown of the *Mercury News* series." But one *Times* reporter characterized himself as being "assigned to the 'get Gary Webb team'" and another was heard to say "We're going to take away that guy's Pulitzer." The opening "About this series" teaser made it clear that the *Times* pieces would explicitly address, and deny, the validity of all the main assertions in "Dark Alliance."

For all the effort spent trying to highlight the shortcomings of the *Mercury News*, however, the *Times* stumbled into some of the same problems of hyperbole, selectivity, and credibility that it was attempting to expose. For example, the first installment highlighted many of the dealers who had played a role in the advent of crack in L.A. The point was to show that Ricky Ross may have been a *big* player, but was not *the* player, as Webb had suggested, in the arrival of crack into the black neighborhoods of L.A. "The story of crack's genesis and evolution . . . is filled with a cast of interchangeable characters, from ruthless billionaires to strung-out curb dealers, none of whom is central to the drama," Jesse Katz wrote, based on his reporting and that of six other *Times* reporters. "Even on the best day Ricky Ross had, there was way more crack cocaine out there than he could ever control," Katz quoted a San Fernando narcotics detective as stating, and then noted: "How the crack epidemic reached that extreme, on some level, had nothing to do with Ross. Before, during, and after his reign, a bewildering roster of other dealers and suppliers helped fuel the crisis."

Less than two years earlier, however, the same Jesse Katz had described Ross as the veritable Dr. Moriarty of crack. Katz's December 20, 1994 article, *DEPOSED KING OF CRACK*, opened with this dramatic statement:

If there was an eye to the storm, if there was a criminal mastermind behind crack's decade-long reign, if there was one outlaw capitalist most responsible for flooding Los Angeles streets with mass-marketed cocaine, his name was Freeway Rick. . . . Ricky Donnell Ross did more than anyone

else to democratize [crack], boosting volume, slashing prices, and spreading disease on a scale never before conceived.

Either Katz was guilty of vast exaggeration in 1994 or of playing down evidence that he had in 1996. If Ross was "key to the drug's spread in L.A.," as the *Times* said in 1994, then his key supplier, Blandon, bore at least some of the responsibility for the "democratization" of crack that Gary Webb ascribed to him.



Ricky Donnell Ross

Less than two years ago, the *Los Angeles Times* described Ross as the veritable Dr. Moriarty of crack. Either it was guilty of vast exaggeration then, or of playing down evidence now

The second installment, written by McManus, drew on three unnamed associates of Blandon and Meneses, who denied that the two had sent "millions" to the contras; they believed the figure closer to \$50,000, because the drug smugglers were awash in debt, not profit, in the early years. Perhaps more importantly, the *Los Angeles Times* obtained an admission from Dawn Garcia, who edited the piece at the *Mercury News*, that the "millions" figure was an extrapolation, based on the amount of coke Blandon and Meneses had sold between 1981 and 1986 combined with Blandon's testimony that everything went to the contras.

But the *Times*, like the *Post*, drew on the pieces of Blandon's court testi-

mony in which he confined his contra drug dealings to a short period in 1981 and 1982 — using the same kind of selectivity in highlighting evidence as the *Mercury News*, but to arrive at opposite conclusions, and failing to pursue leads in the other contradictory testimony and documents that Webb had used to present his case.

At the same time as it sought to undermine the specifics of "Dark Alliance," the McManus piece actually advanced its contra/crack connection thesis. To the two Nicaraguan drug dealers that Webb had written about, the *Times* added two more members of that ring: Meneses's nephew, Jairo Morales Meneses, and Renato Peña Cabrera. Both were arrested on cocaine charges in November, 1984. Unlike Blandon and Norvin Meneses, whose depiction in Webb's series as FDN officials was challenged by critics, Peña had a verifiable role, having served as an FDN press secretary in California.

The McManus piece credulously painted a portrait of the CIA as a law-abiding, conscientious agency. It included an abundance of denials from prominent CIA and Justice Department officials — while failing to inform readers of their roles in some of the scandals of the contra war — that the CIA would ever tolerate drug smuggling or that there had ever been any government interference with prosecuting drug smugglers connected to the contras. This despite documentation to the contrary.

Indeed, all three papers ignored evidence from declassified National Security Council e-mail messages and *The New York Times* and *The Washington Post* ignored evidence, from Oliver North's notebooks, which lend support to the underlying premise of the *Mercury News* series — that U.S. officials would both condone and protect drug traffickers if doing so advanced the contra cause. The October 21 *New York Times* piece didn't even mention the Kerry Committee report. "A decade ago, the national media lowballed the contra-drug story," David Corn observed in *The Nation*. "Now it's, Been there, done that."

IN THE AFTERMATH

On October 23, the Senate Select Committee on Intelligence held its first hearing on the controversy surrounding contra-drug allegations. Jack Blum, the former lead investigator for the Kerry committee, was the lead witness. Blum testified that his investigators had found no evidence whatsoever that the African-American community was a particular target of a plot to sell crack cocaine or that high U.S. officials had a policy of supporting the contras through drug sales. But, he testified further, "if you ask whether the United States government ignored the drug problem and subverted law enforcement to prevent embarrassment and to reward our allies in the contra war, the answer is yes." In a long session, he also detailed the Reagan Administration's obstruction of the Kerry investigation.

A story on ABC's *World News Tonight* about the hearing led with Blum's "no evidence" statement but excluded any reference to the rest of his testimony. *The New York Times* ran an AP story on the hearing but cut references to Blum's testimony. The *Los Angeles Times* covered the hearing but failed even to mention the lead witness or his testimony.

For conspiracy buffs, this non-coverage raised the specter of a government/media collaboration to bury the contra-cocaine story. That is far-fetched. Yet the furor over "Dark Alliance" and the mainstream media's response to it dramatically raise the issue of responsible and irresponsible journalism — particularly in an era of growing public cynicism toward both government and the institutional press.

For many in the media, Webb's reporting remains at the core of the debate over journalistic responsibility. One veteran TV producer decried the impact of "Dark Alliance" on the profession: "Those stories have cheapened the coin of the realm." Another veteran reporter asks, "Can anyone doubt that Gary Webb added two plus two and came out with twenty-two?" At *The Washington Post*, senior management, led by Stephen Rosenfeld, deputy editorial-page editor, even refused to print

a letter to the editor written by Jerry Ceppos, the *Mercury News's* executive editor, regarding the *Post's* critique of the series. Although Ceppos had redrafted the letter several times at the demand of the *Post*, Rosenfeld disparaged it as "misinformation."

In her November 10 column, the *Post's* own ombudsman, Geneva Overholser, objected to that decision, as well as to the *Post's* response to "Dark Alliance." "There is another appropriate response, a more important one, and that is: 'Is there anything to the very serious question the series raised?'"

Overholser's point resonated inside the *Post*. "There was a lot of unhappiness," says one editor. "A lot of frustration."

Why pick on the *Mercury News*? There was a recognition that it would be appropriate to do something else." That recognition led to the publication of a follow-up piece headlined CIA, CONTRAS AND DRUGS: QUESTIONS ON LINKS LINGER. It reported that in 1984 the CIA had authorized a contra group in Costa Rica to take planes and cash from a prominent Colombian drug dealer then under indictment in the U.S. The planes, according to the drug dealers, were used to ferry arms to the contras and then drugs to the United States.

Clearly, there was room to advance the contra/drug/CIA story rather than simply denounce it. Indeed, at the *Post*, *The New York Times*, the *Los Angeles Times*, and other major oracles, the course of responsible journalism could have taken a number of avenues, among them: a historical treatment of drug smuggling as part of CIA covert operations in Indochina, Afghanistan, and Central America; an investigation into the alleged obstruction, by the Justice Department and the CIA, of the Kerry Committee's inquiry in the late 1980s; an evaluation of Oliver North's mendacious insistence, after the *Mercury News* series was published, that "no U.S. government official" ever "tolerated" drug smuggling as part of the contra war; and a follow-up on the various intriguing leads in "Dark Alliance." "The big question is still hanging out there," said one *Los Angeles Times* reporter who disagreed with his editors' decision to simply trash "Dark

Alliance." "What did the government know and when did they know it? This story is not put to rest by a long shot."

To be sure, the "Dark Alliance" series was an overwritten and problematically sourced piece of reporting. It repeatedly promised evidence that, on close reading, it did not deliver. In so doing, the *Mercury News* bears part of the responsibility for the sometimes distorted public furor the stories generated. (A thorough editing job might have spared the *Mercury News* such responsibility and still resulted in a major exposé.) "Webb has convinced thousands of people of assertions that are not yet true or not yet supported," McManus points out. "That pollutes the public debate."

Yet the *Mercury News* was single-handedly responsible for stimulating this debate. This regional paper accomplished something that neither the *Los Angeles Times*, *The Washington Post*, nor *The New York Times* had been willing or able to do — revisit a significant story that had been inexplicably abandoned by the mainstream press, report a new dimension to it, and thus put it back on the national agenda where it belongs. "We have advanced a ten-year story that is clearly of great interest to the American public," Ceppos could rightfully claim.

The unacknowledged negligence of the mainstream press made that possible. Indeed, if the major media had devoted the same energy and ink to investigating the contra drug scandal in the 1980s as they did to attacking the *Mercury News* in 1996, Gary Webb might never have had his scoop.

And having shown itself still unwilling to follow the leads and lay the story to rest, the press faces a challenge in the contra-cocaine matter not unlike the government's: restoring its credibility in the face of public distrust over its perceived role in the handling of these events. "A principal responsibility of the press is to protect the people from government excesses," Overholser pointed out. "The *Post* (and others) showed more energy for protecting the CIA from someone else's journalistic excesses." The mainstream press shirked its larger duty; thus it bears the larger burden. ♦

PHOTOJOURNALISM

A LIFE'S WORK

EARL DOTTER

To get the right angle for his photo of a worker clamped onto the Empire State Building high above New York City's traffic (page 42), photographer Earl Dotter hung halfway out an adjacent window, held fast by a large belt and two people clinging to his legs and torso. "I wasn't in danger," he says, "but I was able to get a perspective on what a window washer faces every day."

Dotter, now fifty-three, discovered his talent for depicting the traumas of workaday life in the late '60s, when a photography class at Manhattan's School of Visual Arts encouraged him to shoot from "a personal point of view." After photographing his own Lower East Side neighborhood and landing a few of his shots on the cover of *New York* magazine, he gave up on his first career choice — advertising — and moved to Tennessee as a VISTA volunteer. There he began focusing his lens on the region's coal miners — many debilitated by black lung disease and other ailments from their years underground. He went on to document risky jobs of all kinds, and the heroism he found in the people who did them. Indeed, many of his photos are taken from an admiring angle, looking up at his subjects.

"In a subtle way I'm trying to present my subjects in a manner that makes them larger than life," Dotter explains. "In the most mundane of jobs there is a real sense of courage and a real contribution."

An exhibition of Dotter's work, "The Quiet Sickness: A Photographic Chronicle of Workplace Hazards in America," will be on view in Boston at Harvard's School of Public Health in March, and at the National Hospital Workers' Union's Gallery 1199 in Manhattan in May.

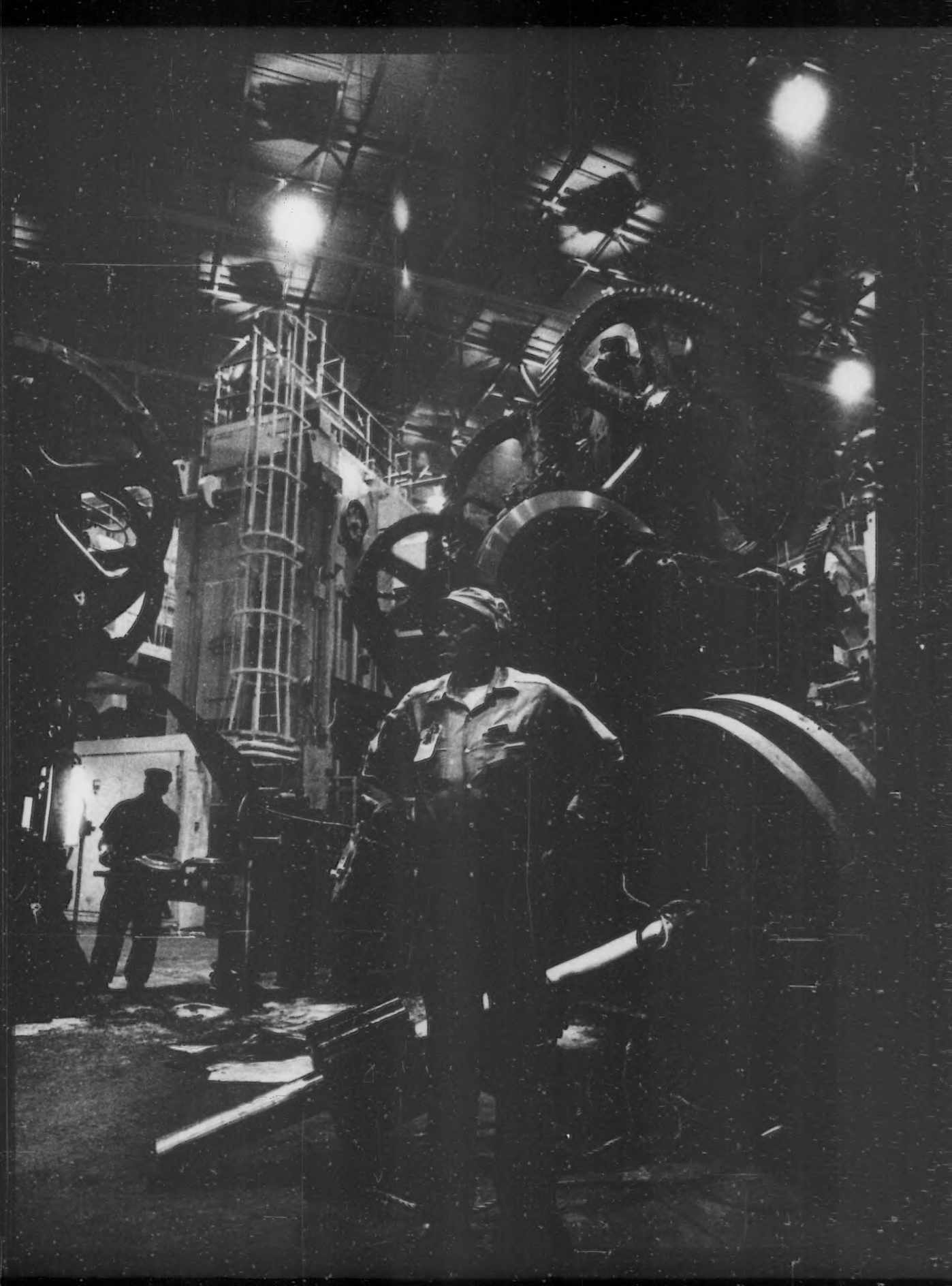
Christina Ianzito

RIGHT: A Michigan factory worker in front of the exposed gears of wheel-making presses. (1977)

BELOW: Garment workers from Chinatown demonstrate their solidarity in front of New York sweatshops. (1995)



EARL DOTTER, IMPACT VISUALS





RIGHT:

A Pennsylvania coal miner sets temporary roof supports, one of the most dangerous underground mining jobs.

(1976)

BELOW RIGHT:

A logger prepares to fell a Douglas fir in Washington. Chain saw operators' hands often suffer nerve damage from the machine's vibration.

(1979)

LEFT:

A window washer cleans the Empire State Building, ninety-seven floors above midtown Manhattan.

(1986)



ABOVE:
 When Dotter took this photo, the woman —
 a former cotton picker — was cultivating this entire
 field by hand in exchange for the right
 to grow her own vegetables in the first row.
 (1978)



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Moderated by **Dr. Alice Amsden**, M.I.T. with **Mancur Olson**, University of Maryland

FEBRUARY 26 INFORMATION ACCESS: Is the Internet a Democratic Tool or Instrument of Exclusion?

Moderated by **Adam Clayton Powell, III**, The Freedom Forum, with **Charles Swett**, The Pentagon

MARCH 12 HUMAN CAPITAL: Developing a Healthy and Educated Workforce

Moderated by **Nancy Barry**, Women's World Banking

APRIL 2 GLOBAL GOVERNANCE: Who's Minding the World Economy?

Moderated by **Peter Morici**, University of Maryland, with **George Lodge**, Harvard University, and **Ambassador Jorge Pinto**, Consul General of Mexico in New York

APRIL 16 URBAN DEVELOPMENT - RURAL NEGLECT?

Moderated by **Ray Horton**, Columbia University, with **Wally N'Dow**, Secretary General, HABITAT II

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Moderated by **Graciela Chichilnisky**, Columbia University

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COVERING CRIME

A Resource Guide

At the end of October a prestigious group of about forty print and broadcast journalists from across the country convened on Long Island, New York for a two-day conference, "Covering Crime," sponsored by CJR and the Vera Institute of Justice and funded by the Ford Foundation and the Edna McConnell Clark Foundation. The journalists were joined by criminal justice experts for discussions about how best to inform the public about this most emotional civic issue. On many points, there was little consensus, but all were in accord on the need for more informed and thoughtful press coverage. This guide for journalists, compiled by Liza Featherstone, a CJR research associate, reflects the conference's major themes, but is not meant to be exhaustive; the subject is so broad and complex that key players have undoubtedly been omitted. The experts we've listed, however, will be useful starting points, able to lead you deeper in your research to other sources and more perspectives.

STATISTICS/RESEARCH

ABT Associates, 55 Wheeler Street, Cambridge, MA 02138-1168, phone: (617) 492-7100, contact: Dale Parent, senior associate
Parent has experience as a corrections researcher and practitioner. He can provide background on non-confinement sanctions, especially prison boot camps and sentencing reform guidelines. ABT is a group of justice experts whose areas of research include police, courts, prison systems, probation and parole, and conditions of juvenile confinement. They may not want to be quoted on the record about research in progress.

Academy of Criminal Justice Scientists, phone: (800) 757-ACJS
Call ACJS for a copy of their just-completed media guide, distributed free to journalists. It lists hundreds of academic criminologists by expertise. ACJS does not evaluate them, so approach with caution.

Bureau of Justice Statistics, 1110 Vermont Avenue, NW, Washington, DC 20531, phone: (202) 633-3047 (public affairs) or (800) 732-3277, fax: (202) 307-5846, <http://www.ojp.usdoj.gov/bjs/>
For a quotable human call Stu Smith in public affairs. For easy access to BJS data, publications, and news releases, call the information specialists at the National Criminal Justice Reference Service (below). Another good source of BJS stats is *The Sourcebook of Criminal Justice Statistics*, published annually. It's also on the Web (<http://www.albany.edu/sourcebook/>), along with BJS news releases and bulletins.

The Criminal Justice Policy Foundation, 1899 L Street, NW, Suite 500, Washington, DC 20036, phone: (202) 835-9075, fax: (202) 833-8561, contact: Eric Sterling, president
Sterling is an experienced policymaker and advocate (former counsel to U.S. House of Representatives subcommittees, he also helped establish Families Against Mandatory Minimums). Quotable on a range of justice issues, especially drug policy, to which he brings a pro-legalization perspective, he also has Rolodexes of referrals to other experts. This foundation provides public information about crime and supports research on solutions — violence prevention, property forfeiture, violence against women, and a range of other criminal justice issues.

Criminal Justice Program, RAND, 1700 Main Street, Santa Monica, CA 90407-2138, phone: (310) 451-6913, <http://www.rand.org/publications>, contact: Jess Cook, director of public information
Contact Cook to obtain RAND publications; the organization's specialists are often traveling or busy, but they can sometimes be tracked down for interviews. The organization does pioneering inter-disciplinary research on law enforcement, career criminals, juveniles, drug problems, sentencing, corrections, prison management, probation, and parole. It also maintains extensive criminal justice databases, available on its website.

Earl Warren Legal Institute, 398 Boalt Hall, University of California, Berkeley, CA 94720, phone: (510) 642-5125, contact: Franklin Zimring, director

Zimring is an authority on crime, violence, and the legal system. The Institute supports interdisciplinary research on criminal justice.

Independence Institute, 14142 Denver West Parkway, Suite 185, Golden, CO 80401, phone: (303) 279-6536, contact: David Kopel, research director
Kopel is a researcher who strongly supports civil liberties. His areas of expertise are gun control and mandatory sentencing (both of which he opposes), terrorism, and juvenile crime.

Institute on Race and Poverty, University of Minnesota, 2209 19th Avenue S, Minneapolis, MN 55455, phone: (612) 625-5529, e-mail: powel008@maroon.tc.umn.edu, contact: John Powell
The Institute monitors racial disparities in the criminal justice system. Powell can provide information and a civil rights-oriented perspective.

National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23187, phone: (757) 259-1818, (757) 259-1844 (Technology Information Service)

An information clearinghouse on court issues, the organization is not an advocacy group; it focuses on making courts run more effectively. The receptionist will route your call to specialists on topics ranging from how judges are selected to courtroom ethics. The Technology Information Service's specialists can provide information on technology in the courts — recording in the courtroom, closed-circuit cameras, etc.

National Consortium on Violence Research, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University, 5000 Forbes Avenue, Pittsburgh, PA 15213, phone: (412) 268-8269/6076, fax: (412) 268-2175, e-mail: ab0q@andrew.cmu.edu, <http://www.heinz.cmu.edu/ncovr>, contact: Alfred Blumstein, project director
Blumstein is expert at unraveling statistics and explaining how they can be muddled and manipulated to serve political ends. He has three decades of research and policy experience in crime measurement, sentencing, demographics, juvenile violence, drug-enforcement policy, prison populations, and criminal careers.

National Criminal Justice Reference Service (NCJRS), P.O. Box 6000, Rockville, MD 20849-6000, phone: (800) 851-3420 or (301) 251-5500, e-mail: look@ncjrs.org, <http://www.ncjrs.org>
The 800-number is staffed by information specialists who provide statistical information, database searches, and referrals; the 301 number is a fax-on-demand service for ordering publications and news releases. As the information clearinghouse of the National Institute of Justice, NCJRS runs information centers for the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, the Bureau of Justice Statistics, the Bureau of Justice Assistance, and the Office of National Drug Control Policy — all accessible from the NCJRS web page.

National Institute for Computer-Assisted Reporting (NICAR), 100 Neff Hall, Missouri School of Journalism, Columbia, MO 65211, phone: (573) 882-0684, fax: (573) 884-5544, e-mail: info@nicar.org, <http://www.nicar.org>, contact: Brant Houston, director
Created by Investigative Reporters and Editors (IRE) and the Missouri School of Journalism to train journalists to use and analyze electronic databases, the institute provides training seminars all over the country, as well as, for working journalists, inexpensive government databases (you can order the FBI's Uniform Crime Reports by year, nationwide, or by state; cost varies with the size of news organizations). NICAR also publishes books and other instructional materials, including a monthly newsletter called Uplink.

National Institute of Justice, U.S. Department of Justice, 633 Indiana Avenue, NW, Washington, DC 20531, phone: (202) 307-2958, e-mail: hillsman@justice.usdoj.gov, contact: Sally Hillsman, deputy director; Jeremy Travis, director
NIJ is the research and development arm of the U.S. Department of Justice. Its mandates are to reduce and prevent crime and to improve the

justice system. A veteran criminal-justice researcher, Hillsman is knowledgeable about justice policy issues including court technology, intermediate sanctions, pretrial diversion, prosecution, policing, and drug-law enforcement. Travis is a leading architect of law enforcement policy; his many areas of expertise include gun control and policing.

Vera Institute of Justice, 377 Broadway, New York, NY 10013, phone: (212) 334-1300, <http://broadway.vera.org>, contact: Ellen Sweet, communications director; Christopher Stone, director
Sweet takes all media calls, and can direct you to specialists within the organization. Stone is an expert on criminal justice reform. A pioneer in criminal justice research and practice, currently researching violence and adolescents, the role of legal coercion in drug treatment, and community development, Vera has been at the forefront of such innovations as community policing, alternative sentencing, and victim services. The website is terrific, providing links to numerous other criminal justice-related sites.

DRUGS/DRUG POLICY

Center on Addiction and Substance Abuse (CASA), Columbia University, 152 West 57th Street, New York, NY 10019-3310, phone: (212) 841-5200, e-mail: lmurray@casacolumbia.org, contact: Alyse Booth, director of communication; Lawrence Murray, senior program associate; Joseph Califano, chairman and president
CASA can provide data on public attitudes toward substance abuse. Booth takes all media calls and can forward you to the appropriate person. Murray is an expert on substance abuse and its connection to juvenile crime. The organization educates the public about the costs — personal and public — of substance abuse, and looks for treatment and prevention strategies that work, focusing on particular groups of abusers. CASA opposes drug legalization.

Drug Policy Foundation, 4455 Connecticut Avenue, NW, Suite B-500, Washington, DC 20008-2302, phone: (202) 537-5005, fax: (202) 537-3007, contact: Rob Stewart, communications director; Arnold Trebach, president

Stewart answers questions from reporters, forwarding to Trebach when appropriate. Trebach is an advocate of alternatives to current policy, including decriminalization, legalization, and harm reduction. The organization holds an annual conference on drug policy reform, which attracts activists, doctors, policy-makers, and scholars (recent conference topics have included drug policy from Asia to Switzerland and medical-marijuana ballot initiatives in the U.S.) and publishes the quarterly *Drug Policy Letter* for members (\$25 annual fee).

Drug Strategies, 2445 M Street, NW, Suite 480, Washington, DC 20037, phone: (202) 663-6090, fax: (202) 663-6090, e-mail: dspolicy@aol.com, contact: Mathea Falco, president

Falco is an expert on international drug-control policy, and juvenile and adult crime related to substance abuse. The organization researches and publishes reports on school drug-prevention programs, international drug policy, public opinion on substance abuse, the politics of drugs and crime, and federal spending on drug control.

Drugs and Crime Clearinghouse, Office of National Drug Control Policy (ONDCP), 1600 Research Boulevard, Rockville, MD 20850, phone: (800) 666-3332, e-mail: askncjrs@ncjrs.org, <http://www.ncjrs.org>
This clearinghouse maintains a bibliographic database, a library, a reading room, and a staff that responds to data requests. Particularly useful to those reporting on street drug use is a list of more than 1,500 street drug terms and their definitions ("Kibbles & Bits," for instance, refers to small crumbs of crack). You can get to this list from the Clearinghouse website.

The Lindesmith Center, Open Society Institute, 888 Seventh Avenue, New York, NY 10106, phone: (212) 887-0695, fax: (212) 489-8455, e-mail: lindesmith@sorosny.org, <http://www.lindesmith.org>, contact: Ethan Nadelmann, director

Nadelmann is a respected scholar of drug policy and international law enforcement and a vocal advocate of harm reduction, an alternative approach to drug policy that focuses on minimizing the damage done by both drug use and drug prohibition. The Center pays particular attention to the strategies used in foreign countries. Its library boasts one of the largest collections on drugs and drug policy, much of which is accessible from the website, which also offers links to other relevant sites. Lindesmith publishes reports and regularly updated fact sheets on such topics as needle and syringe programs, the impact of drug prohibition on

the U.S. prison system, drug education, and methadone treatment.

The Partnership for Responsible Drug Information (PRDI), 14 West 68th Street, New York, NY 10023, phone: (212) 362-1964, e-mail: adw7@columbia.edu, contact: Aaron Wilson, assistant director

An opponent of the "War on Drugs," PRDI promotes public discussion of alternatives, and is currently compiling a directory for journalists of drug policy experts, which it will distribute free in early 1997. PRDI is also compiling a longer directory of drug policy reform organizations.

Special Narcotics Courts, Office of Prosecution, 80 Centre Street, New York, NY 10013, phone: (212) 815-0473/37, contact: Rhonda Ferdinand, Deputy Chief Assistant

Ferdinand runs an alternative-to-incarceration program for low-level drug offenders. She provides a prosecutor's perspective, and is knowledgeable about the legal, bureaucratic, and human challenges such programs entail, and about the differences between treatment programs. Ferdinand is helpful to journalists, funny, and full of anecdotes. She will arrange visits to treatment centers and treatment courts for New York-area reporters, as well as interviews with staff and addicts.

JUVENILE JUSTICE

Center on Juvenile and Criminal Justice, 1622 Folsom Street, 2nd Floor, San Francisco, CA 94103, phone: (415) 621-5661, contact: Vincent Schiraldi, executive director

Schiraldi's expertise includes juvenile homicide, "three strikes" sentencing, race and criminal justice, the death penalty, prison population, and juvenile justice reform. This advocacy organization focuses on developing and promoting alternatives to incarceration.

Children and Justice Family Center, Legal Clinic, Northwestern University School of Law, 357 E. Chicago Avenue, Chicago, IL 60611, phone: (312) 503-0135/8649, contact: Bernadine Dohm, director
Dohm is a prominent advocate for children's legal rights, and is knowledgeable about the juvenile justice system.

National Council on Crime and Delinquency (NCCD), 685 Market Street, Suite 620, San Francisco, CA 94105, phone: (415) 896-6223, fax: (415) 896-5109, contact: Barry Krisberg, vice-president/1325 G Street, Suite 770, Washington, DC 20005, phone: (202) 638-0556, fax: (202) 638-0723, contact: Michael Jones, senior researcher

Jones can help with juvenile justice statistics — arrest rates, crime rates, and trends. Krisberg is a renowned criminologist and sociologist and specializes in juvenile justice. Other staff members have expertise in the assessment of incarceration alternatives, juvenile detention, the impact of child abuse on crime, and other issues. NCCD does public education and research, develops model criminal and juvenile justice programs, and offers policy advice to both state and local agencies.

New York University Law School, 249 Sullivan Street, New York, NY 10012, phone: (212) 998-6434, e-mail: hertz@turing.law.nyu.edu, contact: Randy Hertz

Hertz is an authority on the legal aspects of juvenile justice, and can also help with questions about criminal law and capital punishment. Since he's often litigating cases, he prefers not to be quoted, but is happy to provide background, and to steer journalists to people who can speak on the record. The best time to reach this hard-working source is after 11 p.m.

Save Our Sons and Daughters (SOSAD), 2441 West Grand Boulevard, Detroit, MI 48208, phone: (313) 361-5200, fax: (313) 361-0055, contact: Clementine Barfield

SOSAD's founder and president, Barfield, started the group in 1987 after two of her sons were shot. She is articulate — emotional yet focused on solutions. Working with schools and other community-based organizations to create alternatives to violence, the group offers counseling and training in violence prevention and conflict resolution. SOSAD also lobbies on victims' rights. Based in Detroit, SOSAD has chapters in Fresno, California; Louisville, Kentucky; and Washington, D.C.

Youth Law Center, 1325 6th Street, NW, Suite 770, Washington, DC 20005, phone: (202) 637-0377, contact: Mark Soler, executive director/114 Sansome Street, Suite 950, San Francisco, CA 94104-3820, phone: (415) 543-3379, contact: Carole Shaffer, executive director; Virginia Van Zandt, development director

Van Zandt is the group's media contact, Soler and Shaffer are advocates and experts in juvenile justice. The organization works to improve condi-

NETWORKING

Cops & Courts Reporters' List, e-mail: majordomo@reporters.net, <http://www.reporters.net/ccr>

An unmoderated forum for exchanging information with colleagues, started by the Cleveland *Plain Dealer's* Mark Rollenhagen and Bob Sablatura of the *Houston Chronicle*, with assistance from the Reporters Network. To subscribe, send them this message by e-mail: "subscriber ccr-L." The website has a nationwide directory of crime reporters.

The Criminal Justice Journalists Association, e-mail: djks@columbia.edu David Krajicek of Columbia University's Graduate School of Journalism and Ted Gest of *U.S. News & World Report* are testing this idea; the organization hopes to produce a newsletter and maintain a library of reprints and videotapes of outstanding crime reporting. It would also offer guidance on policy innovation, investigating police departments, and computer-assisted crime reporting. Interested participants should e-mail Krajicek.

tions and services in juvenile corrections facilities, promotes alternatives to incarceration for young offenders, urges continued recognition of differences between adults and juveniles, and seeks to end the imprisonment of children in adult institutions.

VICTIMS

Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, MN 55108-5219, phone: (612) 642-0329, fax: (612) 642-0457, contact: Kay Pranis, restorative justice planner Pranis is an expert on — and architect of — restorative justice, an approach to corrections that focuses on repairing the harm caused by crime, often by involving victims and their advocates.

National Organization for Victims Assistance (NOVA), 1757 Park Road, NW, Washington, DC 20010, phone: (202) 232-6682, fax: (202) 462-2255, e-mail: nova@access.digex.net, <http://www.access.digex.net/~nova>, contact: John Stein, deputy director Stein will give background information on crime victims' rights and help reporters understand victims' reactions. NOVA also distributes a guide for journalists on covering crime victims. This national service organization provides support and legal assistance to victims of violent crime and works as an advocacy group, lobbying for victims' rights legislation.

Victim Services, Inc., 2 Lafayette Street, New York, NY 10007, phone: (212) 577-7351/3807, contact: Nina Castro, publicist Castro can provide information on victims of crime, especially domestic violence. The organization counsels crime victims.

Victims and the Media Program, School of Journalism, Michigan State University, East Lansing, MI 48824-1212, phone: (517) 432-2171, fax: (517) 355-7710, e-mail: bucquero@pilot.msu.edu, <http://www.journalism.msu.edu/victims.html>, contact: Sue Carter, coordinator; Bonnie Bucqueroux, assistant coordinator; Frank Ochberg, consultant If Carter or Bucqueroux can't answer your question, or if you want further insight, they will refer you to the genial Frank Ochberg, a pioneer in the study of victims of violence, particularly post-traumatic stress disorder. Authoritative on victims and the media, he holds adjunct professorships in psychiatry, criminal justice, and journalism. The program also distributes videotapes and written materials. If you're in the region, staff members are willing to come to your newsroom and give a workshop.

SENTENCING

Clinical Sentencing Program, Yale Law School, 127 Wall Street, New Haven, CT 06511, phone: (203) 432-4843, contact: Daniel J. Freed Freed knows about sentencing processes in various states, as well as federal sentencing, and is good at referring reporters to other experts — either colleagues or people in the field. Freed much prefers to be called for background information rather than for quotation on the record. The program works with states to analyze sentencing policy and practice.

The Death Penalty Information Center, 1606 20th Street, NW, Washington, DC 20009, phone: (202) 347-2531, fax: (202) 332-1915, e-mail: dpic@essential.org, <http://www.essential.org>, contact: Richard Dieter, executive director Dieter is an attorney who can answer questions on capital punishment. His organization prepares reports and press releases and holds briefings for

reporters on capital punishment from abolitionist perspectives.

The Edna McConnell Clark Foundation, 250 Park Avenue, New York, NY 10177-0026, phone: (212) 551-9126, fax: (212) 986-4558, contact: office of communication

The foundation's reports include a comprehensive resource guide on criminal justice, "Seeking Justice: Crime and Punishment in America," currently being updated.

Equal Justice Initiative of Alabama, 114 N. Hull Street, Montgomery, AL 36104, phone: (334) 269-1803, contact: Bryan Stevenson, director Stevenson, a MacArthur fellow and a mesmerizing speaker, is nationally recognized for his activism on behalf of death-row prisoners and indigent people. Equal Justice Initiative combats racial and economic inequality in the justice system through litigation and public education.

Families Against Mandatory Minimums (FAMM), 1612 K Street, NW, Suite 1400, Washington, DC 20006, phone: (202) 822-6700, fax: (202) 822-6704, e-mail: FAMM@fammm.org, <http://www.fammm.org>, contact: Julie Stewart, president

Stewart, FAMM's founder and president, started the group after her brother was sentenced to five years in federal prison for growing marijuana. She has appeared on radio and TV and has testified before Congress. Working to abolish statutory mandatory minimum sentences for drug and firearm offenses, FAMM argues that they are unfair, cause prison overcrowding, destroy families, and cost money. FAMM's website includes a quarterly newsletter and lists FAMM's thirty-five chapters, names of victims of mandatory minimums, and pending bills the group opposes.

National Center for Institutions and Alternatives, 635 Slaters Lane, Suite G-100, Alexandria, VA 22314, phone: (703) 684-0373, fax: (703) 684-6037, e-mail: ncia@igc.apc.org, <http://www.ncianet.org/ncia>, contact: Jerome Miller, president

Miller can speak from his experience directing juvenile detention systems in several states. He has also done important research on the criminal justice system's bias against young black men, and is an articulate advocate for juvenile-justice reform. The organization provides information to the press on a range of its research areas, including prisons, race and justice, the politics of crime, policing, courts, and youth violence. The website leads you to the group's reports, publications, fact sheets — and a "myth of the month."

Safe Streets Alliance, 919 18th Street, NW, Suite 800, Washington, DC 20006, phone: (202) 822-8100, fax: (202) 822-8149, e-mail: safests1@aol.com, contact: Mark Gilman, director of communications; Jim Wootton, president; Fred Goldman, director of public affairs Gilman can provide information from a law-and-order perspective on efforts to abolish parole for violent offenders and on "truth-in-sentencing."

The Sentencing Project, 918 F Street, NW, Suite 505, Washington, DC 20004, phone: (202) 628-0871, fax: (202) 628-1091, contact: Marc Mauer, assistant director

Mauer writes and lectures widely on sentencing policy issues, such as the U.S.'s over-reliance on incarceration, racial and economic disparity in sentencing, "three strikes you're out," "truth-in-sentencing," and the political misuse of crime data. His reports are widely cited and he is frequently quoted by both broadcast and print media. The organization works with state and local systems to implement sentencing reforms, researches criminal justice issues, works to develop programs that favor alternatives to incarceration, and issues fact sheets and reports.

Superior Court, P.O. Box 3008, Greensboro, NC 27402, phone: (910) 574-4300, contact: Judge Thomas W. Ross Judge Ross is a rare animal — a judge who likes to talk to the media. He is an authority on "truth-in-sentencing," and he has persuaded his own state to adopt innovative sentencing reform measures that are widely regarded as a model for the nation.

United States Sentencing Commission, One Columbus Circle, NE, Suite 2-500, South Lobby, Washington, DC 20002-8002, phone: (202) 273-4590, <http://www.uscc.gov>, contact: Michael Courlander, public information officer

Courlander will answer basic questions on federal sentencing statistics and guidelines, and if you need more in-depth analysis, he will refer you to others on the USSC staff. An independent federal agency, the commission establishes guidelines for federal sentencing policies and practices.

University of Maryland, Department of Criminology, 2220 Le Frak Hall,

College Park, MD 20742-8235, phone: (301) 405-4701, e-mail: cwellford@bss2.umd.edu, contact: Charles Wellford, professor
Wellford is an authority on sentencing guidelines, gender and racial issues in sentencing, and plea bargains.

Washington Legal Foundation, 2009 Massachusetts Avenue, NW, Washington, DC 20036, phone: (202) 588-0302, fax: (202) 588-0386, <http://www.wlf.org> contact: Paul Kamenar, executive legal director
Kamenar takes a pro-death-penalty position. He and his organization also advocate for victims' rights and support stricter probation and parole policies. WLF litigates and files briefs in high-profile court cases.

Woodrow Wilson School, Princeton University, Princeton, NJ 08544, phone: (609) 258-6481, fax: (609) 258-2809, contact: John Dilulio, professor of politics and public affairs. He can also be reached in Philadelphia at: (215) 557-4475, fax: (215) 557-4469.

One of the most widely quoted experts in the criminal justice field, Dilulio is a controversial proponent of harsher prison sentences, recently arguing that increased rates of imprisonment would save money. Currently on leave from the Woodrow Wilson School, he can best be reached by fax at the Philadelphia number, with an explanation of exactly what you need.

CORRECTIONS

The National Prison Project, American Civil Liberties Union, 1875 Connecticut Avenue, NW, Suite 410, Washington, DC 20009, phone: (202) 234-4830, fax: (202) 234-4890, contact: Jenni Gainsborough, public policy coordinator; Elizabeth Alexander, director
Gainsborough takes all media calls and can answer basic inquiries about prisoners' rights and corrections policy; for legal questions or quotes on high-profile issues, she will probably refer you to Alexander. This program litigates on behalf of prisoners, advocates for better prison conditions, publishes a quarterly journal, and conducts public-education conferences.

Southern Center for Human Rights, 83 Poplar Street, NW, Atlanta, GA 30303-2122, phone: (404) 688-1202, fax: (404) 688-9440, contact: Stephen Bright, executive director
Bright, who has represented death-row prisoners since 1979, is an expert on race and poverty in the criminal justice system, as well as on capital punishment. The center represents inmates who are challenging unconstitutional prison and jail conditions or facing the death penalty.

State Partnership for Criminal Justice, Institute on Criminal Justice, University of Minnesota Law School, 430 Law Center, 229 Nineteenth Avenue South, Minneapolis, MN 55455, phone: (612) 625-1000, contact: Kenneth Schoen, director
Schoen, a former corrections commissioner in Minnesota who directed the Edna McConnell Clark Foundation's Justice Program for eighteen years, is an authority on corrections and correctional reform. The Institute was established by the foundation to serve as a resource on the workings of a better-run criminal justice system. The State Partnership, formerly known as the State-Centered Program, has helped Alabama, Delaware, Pennsylvania, Oklahoma, North Carolina, South Carolina, Indiana, Oregon, and Arizona reform their systems.

Center for Studies in Criminal Justice, 1111 East 60th Street, Chicago, IL 60637, phone: (312) 702-9587/9493, contact: Norval Morris, Julius Kreeger Professor of Law and Criminology
Morris is an articulate critic of current U.S. approaches to crime and punishment, particularly the emphasis on incarceration — and of the media's lack of skepticism about these strategies. Good on historical context, statistics, comparison with other countries, and general myth-debunking.

Women's Prison Association & Home, Inc. (WPA), 110 Second Avenue, New York, NY 10003, phone: (212) 674-1163, fax: (212) 677-1981, contact: Ann Jacobs, executive director
Specific areas of expertise include substance abuse, women and AIDS, child welfare, parents in the criminal justice system, alternatives to incarceration, community-based corrections, and relationships between poverty, welfare, and crime.

POLICING

Charleston Police Department, 180 Lockwood Blvd., Charleston, SC 29403, phone: (803) 720-2401, contact: Reuben M. Greenberg, Chief of Police; Charles Francis, public information officer

Francis will arrange interviews with Chief Greenberg, who has been credited with creating a model department. In addition to a long tenure in law enforcement, he has had an academic career, teaching sociology, political science, and criminal justice.

Hoover Institution, Stanford, CA 94305-6010, phone: (415) 723-1475/1754, contact: Joseph McNamara, Research Fellow
McNamara is a respected expert on community/police relations, police technology and management, crime prevention, criminal justice, and drug control policies. He has served as police chief in Kansas City, Missouri and San Jose, California, which became one of the safest cities in the nation despite having the fewest police officers per capita. He has a doctorate in public administration from Harvard and has served as a consultant to the U.S. Justice Department and the FBI. He offers pragmatic approaches to fighting crime, and is an outspoken critic of conventional responses — he favors drug legalization, for example.

Office of Community Oriented Policing Services (COPS), Communications Division, U.S. Department of Justice, 1100 Vermont Avenue, NW, 9th Floor, Washington, DC 20530, phone: (202) 616-1728, fax: (202) 616-5899, <http://www.usdoj.gov/cops/>, contact: Charles Miller, communications director
Miller can answer questions on federal grants for policing; for instance, whether your local department is misusing its funds. Created by the Attorney General to promote community policing, this department is responsible for allocating funds for the 100,000 police officers President Clinton has pledged to put on the streets by the year 2000. (Be careful of the term "community policing." It means one thing to the Justice Department, another to many groups, another to Joseph McNamara, listed above, so you should consult everyone when you write about it.)

Police Executive Research Forum, 1120 Connecticut Avenue, NW, Suite 930, Washington, DC 20036, phone: (202) 466-7820, fax: (202) 466-7826, contact: Martha Plotkin, Ellen Painter, communications
While the forum isn't the best place to turn for statistical information, it has done extensive research on such topics as community policing, the use of force, gun-related violence, youth gangs, and domestic violence. The Forum can also help you contact big-city police chiefs — most of the group's members are active police executives.

Police Foundation, 1001 22nd Street, NW, Suite 200, Washington, DC 20037, phone: (202) 833-1460, fax: (202) 659-9149, contact: Mary Malina, communications director
Malina can refer you to the appropriate expert or report on a range of issues, including community policing, domestic violence, police ethics, recruitment, diversity training, and police abuse of power. This group has done some of the most influential research and experimentation on policing. For instance, an often-cited experiment in Kansas City found that routine patrol in marked police cars did not significantly affect the crime rate.

MEDIA ANALYSIS

Center for Media and Public Affairs, 2100 L Street, NW, Suite 300, Washington, DC 20037, phone: (202) 223-2942, fax: (202) 872-4014, contact: Jeanne Maynard, director of administration; Daniel Amundson, research director

The center tracks crime coverage; last year it found that TV crime had quadrupled, while real-world rates dropped, and that O.J. Simpson received more coverage than all the presidential candidates combined.

Center for Media Education, 1511 K Street, Suite 518, Washington, DC 20005, phone: (202) 628-2620, <http://cme.org/cme>, e-mail: info@cme.org, contact: Jeff Chester, executive director
Chester is outspoken on violence in the media. CME, an advocacy organization, provides journalists with information on the effect of the electronic media on children.

Fairness and Accuracy in Media (FAIR), 130 W. 25th Street, New York, NY 10001, phone: (212) 633-6700, contact: Janine Jackson, research director
The organization has done several reports on race bias in crime reporting.

Rocky Mountain Media Watch, P.O. Box 18858, Denver, CO 80218, phone: (303) 832-7558, contact: Dr. Paul Klite, executive director
Klite, a former physician and radio producer, authored this group's 1995 study of excessive media violence, "Pavlov's TV Dogs: A Snapshot of Local TV News in America," which drew national attention to industry-wide "mayhem and fluff." The 1996 report is forthcoming. ♦

Witness in Hanoi

by John R. MacArthur



When in December 1966, Harrison Salisbury reported civilian casualties on a residential street in Hanoi (above), the news contradicted the Pentagon and became a watershed in the relationship between the media and the military. Now, a generation later, Dang Quan An (right), is living proof of who was telling the truth.



As a tourist destination, Pho Nguyen Thiep in Hanoi has little to recommend it. Just one block long and perpendicular to the bridgehead of the massive Long Bien railroad bridge, where it ends, the teeming, densely populated street doesn't even rate identification on the hotel maps of the Vietnamese capital. Close by the Red River embankment in the Old City, just north of the lovely but relatively modern legacy of French colonial architecture, Pho (for street) Nguyen Thiep would seem, at first glance, to be of interest only to Sinologists studying the Cantonese roots of some of its residents or the Chinese structures in the surrounding neighborhood. But for journalists, particularly those curious about the history of war reporting and censorship, Pho Nguyen Thiep should be the first stop on any Hanoi itinerary. For it was here thirty years ago that the U.S. government found itself caught in a lie about war — certainly the first really well-publicized lie of the period.

So many lies about Vietnam would follow the one about Pho Nguyen Thiep that by 1975, when the war ended, it seemed that no self-respecting reporter would ever again believe a government statement concerning the American military. Yet today the headlines announce a gulf war syndrome "coverup" by the Pentagon, which follows on the extensive record of largely unchallenged government decep-

tion and censorship surrounding the invasions of Panama and Grenada, as well as the gulf war. The lesson of Pho Nguyen Thiep, it would appear, is well worth relearning by the press — which is why I went there last September to re-report a story that not only marked a watershed in government-press relations in Vietnam, but that also severely eroded the public's trust in the war-time claims of President Lyndon Johnson.

Of course there were many events that could be called turning points in the Vietnam war and its coverage, but for dramatic impact, it would be hard to top the reporting of Harrison Salisbury, starting with his Christmas Eve 1966 account in *The New York Times* of American-inflicted civilian casualties on Pho Nguyen Thiep — coming as it did when the Johnson administration was denying that U.S. bombs were dropping on innocent North Vietnamese bystanders.

His first dispatch, published on Christmas Day, was remarkably understated given the sensation his coverage ultimately caused. The *Times* played it in the lead position on the front page, but with just a one-column headline whose top deck announced: "A Visitor to Hanoi Inspects Damage Laid to U.S. Raids." Not until the jump page, in the ninth paragraph, did Salisbury's leisurely feature arrive at the actual news: "Christmas Eve found residents in several parts of Hanoi still picking over the wreckage of homes said to have been damaged in the United States raids of Dec. 13 and 14. United States officials have contended that no

John R. MacArthur is publisher of Harper's Magazine and author of *Second Front: Censorship and Propaganda in the Gulf War*.

SALISBURY — UP/CORBIS-RETMANN; DANG QUAN AN/MACARTHUR

attacks in built-up or residential Hanoi have been authorized or carried out." Then Salisbury was permitted the closest thing to sarcasm that could be found in the sober news pages of the 1966 *Times*: "This correspondent is no ballistics expert, but inspection of several damaged sites and talks with witnesses make it clear that Hanoi residents certainly believe they were bombed by United States planes, that they certainly observed United States planes overhead and that damage certainly occurred right in the center of town." Obviously, American pilots in that pre-smart-bomb era were aiming for the Long Bien bridge, technically outside the Hanoi city limits, and had dropped some of their explosives short of the target.

Salisbury wasn't the first Western reporter to visit North Vietnam during the war, but as he told me years later, "in many cases what you're reporting is not so important as the critical time when it's reported." Whatever the timing, Salisbury's direct contradiction of White House and Pentagon dogma

during his two-week stay in enemy territory touched raw nerves. The administration counterattacked — a Pentagon spokesman, Arthur Sylvester, for just one example, denounced the work of "Harrison Appallsbury of the New Hanoi Times" — but the government was forced to acknowledge that civilian areas had been hit by "accident."

The eminent historian Barbara Tuchman, in *The March of Folly*, wrote that after Salisbury's visit to North Vietnam, "Johnson's rating in the polls for handling of the war slid into the negative and would never again regain a majority of support." Salisbury's historic 1966-67 reporting clearly accelerated a tide of opposition to the war that had been rising slowly since the early '60s, fed by the work of correspondents like Malcolm Browne, Neil Sheehan, Peter Arnett, and David Halberstam, and by 1968 the tide seemed to reach flood level. That was the year of the Tet offensive, and the year Lyndon Johnson, at the end of a televised address to the nation announcing a partial halt to the bomb-

ing of the North, also announced that he would not seek re-election to the presidency.

As influential as Salisbury's reporting was, it did contain one significant flaw. In his memoir, *My Life and The Times*, the paper's executive editor in 1966, Turner Catledge, conceded that the *Times* had erred with some of Salisbury's early dispatches by not attributing casualty figures to the North Vietnamese government: "Quickly, with an air of triumph," he wrote, "U.S. government officials declared that Salisbury's casualty figures were the same as those put out by the government of North Vietnam." A "silly" point, according to Catledge, since Salisbury hadn't claimed to have counted the bodies himself. But a crucial point in a journalistic way, as Catledge also acknowledged: "I'm sorry to say that we in New York compounded an editorial slip that gave Salisbury's critics something to harp on. . . . To end the issue, we noted in later articles that the figures came from North Vietnamese officials." The

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"silly" point may have cost Salisbury a Pulitzer Prize in 1967 when the advisory board rejected the 4-1 recommendation of the international-reporting jury and voted 6-5 against Salisbury. Turner Catledge said the vote was unquestionably dictated by politics: "I was convinced that my colleagues made their decision on political rather than journalistic grounds; indeed, they made no bones about it. They supported the war, so they voted against Salisbury." Politics aside, the "editorial slip" Catledge acknowledged gave the anti-Salisbury contingent a journalistic rationale. As John Hohenberg wrote in his history *The Pulitzer Prizes*, "Those who opposed Salisbury argued that . . . he had failed to give the sources of casualty figures" in some articles and that "there were other reportorial deficiencies in his work."

So, despite my admiration for Salisbury's courage, energy, and accuracy, when I retraced his steps down Pho Nguyen Thiep in September I wanted to make sure he had gotten the story right. More than a generation on, I could hear the sneers of Arthur Sylvester and his Johnson administration colleagues hissing in my ear, and I thought I'd be careful. At 44 Pho Nguyen Thiep, with the help of my government interpreter, I found Dang Quan An, whose pregnant wife and two-year-old daughter had been killed in the December 13, 1966, air raid. Dang, a wiry man of fifty-nine, told me his version of that unhappy afternoon, now memorialized on the front of his rebuilt home by a bas-relief sculpture of a woman holding a baby with her fist upraised in defiance toward the sky.

He said he was at the garages of the United Bus Company in a southern section of Hanoi, where he worked as a mechanic, when the attack took place around 3:15 P.M. As best Dang was able to reconstruct the story, his wife and daughter were on the second floor of the three-story house and reverberations of an explosion caused the roof and the ceiling to cave in on them. "It wasn't a direct hit; I was told it was a rocket fired at the bridge that missed," Dang said. "Maybe it was a bomb. I

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saw the bomb crater next to No. 50 on the street and I know another bomb hit in the back of No. 50." Dang said the explosions also killed two middle-aged women, bringing the total dead to five that day, just as Salisbury had reported. The American pilots did damage the stone bridgehead that runs parallel to Pho Gam Cau (Underbridge Street) at the end of Pho Nguyen Thiep. I could see where it was patched up.

Eventually, Dang remarried and had six more children, but No. 44 remained in ruins long after the "American" war ended in 1975. Over the years Dang requested compensation from the government without success. One explanation for the denial might be that as an ethnic Chinese, or Hoa Kieu, Dang came low down on the government's list of deserving war victims. Anti-Chinese sentiment flared again in Vietnam during the Chinese invasion of 1979, and many Hoa Kieu took the opportunity to emigrate. One of those was Dang's younger brother, Nhan, who resettled in 1980 in London, where he started a successful take-out restaurant. In 1991, Nhan sent his older sibling enough money to rebuild his house. A government monument to the bombing victims came down, the little one went up on the front of the house, and Pho Nguyen Thiep was returned whole to its pre-1966 bustle. Today, without careful investigation, you would never know that thirteen houses had been destroyed in a very famous air raid.

Nevertheless, after interviewing Dang and examining the street, I still wasn't entirely satisfied with my reporting, or Salisbury's. I wanted to know that I hadn't been set up by my government guide. Perhaps Dang was too perfect a witness.

A couple of days after my first visit, I went back to Pho Nguyen Thiep without my guide. When I got out of the taxi, in front of No. 44, I gestured to a bystander and said Dang's name. A few minutes passed, and I saw Dang approaching from the end of Pho Nguyen Thiep, as he strolled through an open arch in the Long Bien Bridge. He was still friendly, smiling, and bereaved. ♦

The Moral Behavior of Corporations

by Ellen Alderman and Caroline Kennedy

When the editors at CJR approached us about creating a column dealing with First Amendment issues that would combine a journalistic and a legal perspective, we were intrigued. We were also hesitant. After all, if there is one subject that receives quite a bit of press coverage, it is the press itself. But as we thought about it more, we saw an opportunity to discuss issues that may otherwise be lost in the public debate about the press.

As lawyers who have written two books that deal with the effect of the First Amendment on the lives of "ordinary" Americans, we feel we may have a different point of view to add. Having reported on the small cases as well as the landmark ones, we know the importance of issues that put journalists in court, if not in the headlines. Access to public records, restraints on news gathering (as opposed to publishing), renewed calls for privacy protection, and fears about the information age are just a few of the areas reshaping First Amendment protection.

Our work also highlighted for us one of the thorniest issues for the press, and one of the primary reasons for the public's often negative view of the media. At times, there seems to be a gap between what is legal under the First Amendment and what is the ethical or "right" thing for a journalist to do. Talking to people in the news stories about what happens after a piece hits the newsstand or airwaves informed this issue for us.

Today, when the press seems dominated by wealthy media conglomerates, it is helpful to remember that sometimes journalists are still the underdog and the First Amendment their only shield.

A case in point is taking place in Wisconsin: *Briggs & Stratton v. National Catholic Reporter*. In December 1994, the *National Catholic Reporter* (NCR), an independent weekly newspaper with a circulation of approximately 50,000 (which receives no funding from the Catholic Church), published an article titled "Adios, American Dream." It chronicled the downsizing of Briggs & Stratton (B&S), one of Milwaukee's largest industrial employers,

which has manufactured lawnmower engines and garden equipment for more than eighty-five years. The article included several interviews with long-term B&S workers who expressed fear of losing their jobs and concern about the exploitation of workers in B&S's Mexican factory. Tom Fox, editor of NCR, claims that B&S officials refused several requests for interviews for the article.

Reporting on union dissatisfaction and employee fears was one thing. But according to Fox, NCR also "looks at moral issues." Its reporters and editors "bring their own values as Catholics to reporting on the public issues."

The article on B&S identified two leading company officials and an outside lawyer retained by the company as Catholics who had graduated from Catholic universities. It quoted a union activist as saying that these executives had "strayed from the social teachings of the Church" and disregarded the tenets of the 1986 Catholic Bishops' pastoral letter, which outlines moral principles that should be incorporated into economic decisionmaking. In his accompanying editor's letter, Tom Fox described the article as showing "with stunning clarity how corporate decisions hurt ordinary people and what they reveal about decisionmakers who live in either denial or moral blindness."

In January, NCR received a seven-page letter from B&S officials who said that they had not agreed to be interviewed for the article because they had believed, and were proven right in believing, that the story would be slanted against them. "We refused to participate in our own lynching," the officials wrote. They defended the company's actions as consistent with ethical business practices and with the Catholic Bishops' approach. The company requested that its letter be printed in full. NCR refused, but agreed to print an edited version of the letter.

In May 1996, B&S and its officials filed suit against NCR for libel and invasion of privacy, demanding \$30 million in damages. The libel claim was based on the accusations that the executives had strayed from the teachings of their church and were exploiting workers in Mexico. The privacy claim was based on the revelation that company executives were Catholic.

The suit has been called the first involving the "moral behavior of a corporation" and its officials. As such, it has alarmed many who believe the press is a vital watchdog on big business as well as the government. However, in the end, the B&S lawsuit is likely to matter more as the signal of a

*Ellen Alderman and Caroline Kennedy are attorneys who co-authored two best-selling books, *In Our Defense* and *The Right to Privacy*. This column is underwritten by the Janice and Saul Poliak Center for First Amendment Studies at Columbia University's Graduate School of Journalism.*

new trend than as a viable case against the *National Catholic Reporter*.

The privacy claim has the least chance of success. To prevail, B&S officials have to prove that the newspaper revealed a private fact about them that was "highly offensive to a reasonable person." Even if the executives' religious affiliation is deemed to be a private fact, it is unlikely that the revelation that one is Catholic will be considered "highly offensive."

The B&S claim for libel is more complex. One interesting question the lawsuit

raises is whether B&S officials are "public figures." If so, then the newspaper would be protected by *New York Times v. Sullivan*'s "actual malice" standard, which would require that B&S prove *NCR* acted with reckless disregard for the truth. If the executives are not public figures, as B&S lawyer Robert Sutton claims, B&S need only prove that the newspaper was negligent in its reporting, a much easier standard to meet.

Regardless of what standard is applied, in order to be actionable the allegedly libelous statements must be

specific statements of *fact*, not mere expressions of opinion. Saying someone has "strayed from the teachings of the Church," calling someone a "bad Catholic," or even a "sinner," appear to be statements of opinion protected by the First Amendment.

"This kind of suit over this kind of story shows why we need bulwark protections for free speech," says Vincent A. Blasi, Corliss Lamont Professor of Civil Liberties at Columbia Law School. "The harm to the company is a function of the hostile opinions being portrayed, not a function of factual error. It is a pretext for punishing opinion."

Not surprisingly, Robert Sutton disagrees. "Milwaukee is a high-intensity Catholic community," he says. "People are very sensitive to being called bad Catholics." Indeed, Sutton describes his client as the underdog in the case, facing an adversary with more than the law on its side. "It's like suing Mother Teresa wrapped in the First Amendment," he says. But Sutton predicts that the country is ready for a rollback in First Amendment law because "people are fed up with the libel in our society." However, barring such a rollback in the law, B&S is unlikely to prevail.

Still, the lawsuit has already exacted a price. Tom Fox says his small newspaper has so far spent \$30,000 and faces a legal bill in the hundreds of thousands of dollars if the case goes to trial. The paper is covered by libel insurance, but *NCR* must first absorb a hefty deductible and, even if the case is dismissed, will likely face higher premiums in the future.

On a larger scale, it remains to be seen whether religious principles will play a greater role in press coverage, provoking more of these kinds of lawsuits. If so, then the real concern would become the "chilling effect" on future reporting. "Facing hundreds of thousands of dollars in legal fees does sharpen the mind," says John Seigenthaler, the veteran newspaper editor and chairman of the Freedom Forum's First Amendment Center, who has been sued some forty times. "Real courage is required when an editor is faced with the decision to print the same type of thing again." ♦



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Time Traveler

**ONE MAN'S AMERICA:
A JOURNALIST'S SEARCH
FOR THE HEART OF HIS
COUNTRY**

BY HENRY GRUNWALD
DOUBLEDAY. 643 PP. \$30

By Piers Brendon

This is the autobiography of a loyal but unlikely *Time*-server. Henry Anatole Grunwald, to spell out his middle name in the manner of the newsmagazine on which he spent his working life, rose from copyboy to editor-in-chief. Yet he was the antithesis of the tall, Yale-educated WASPs who seemed destined to succeed at Time Inc. Grunwald was short, pear-shaped, and Jewish, a refugee whose family had fled when Hitler occupied Austria in 1938. America was his salvation and this book is a thoughtful, often anxious, and sometimes moving account of his love affair with what had seemed to him since childhood "a fantastic land." Grunwald also tells the story of how he became conductor of "the House Organ of the American Dream" (as Richard Pollack called *Time*) and thus perhaps the most influential print journalist in the world.

Grunwald's father, affectionately evoked despite his philandering with actresses, was a well-known Viennese librettist and Henry himself had youthful ambitions to be a playwright. But after their traumatic escape from the Nazis, the father was incapacitated by his inadequate English and the son, having graduated from New York University, found a job on the bottom rung of *Time*'s ladder. Henry had painstakingly mastered the new language. Today his prose, though less effervescent than that of, say, Ben Bradlee, is generally workmanlike and occasionally epigrammatic. Of T.S. Matthews, Grunwald's first managing editor at *Time*, he writes: "His father was an Episcopal

Piers Brendon is the author of The Life and Death of the Press Barons. He lives in Cambridge, England.



Henry Grunwald with his father's bust in Vienna's Alfred Grunwald Park

bishop, his mother a Proctor & Gamble heiress, and he was comfortable neither with God nor with mammon."

Poised menacingly between God and mammon, Henry Luce, the magazine's founder, also made Matthews feel uncomfortable. The fastidious managing editor banished the worst excesses of *Time* style. But, he later wrote, during Truman's presidency the "distortions, suppressions, and slanting of [*Time*'s] political 'news' seemed to me to . . . commit an offense against the ethics of journalism." Grunwald, who

like many grateful immigrants was a hard-line super-patriot, evidently disagrees. He does acknowledge that his early mentor at *Time*, Whittaker Chambers, gave an anti-Communist twist to stories he wrote or edited. Once, when challenged on a wholly unsubstantiated piece he had written about ideological developments in Hungary, Chambers retorted: "I *know* what they are thinking, I *know* what they are talking about in the cafés of Budapest."

However, Grunwald defends right-wing advocacy masquerading as reportage. He admits that his own highly favorable cover story on Eisenhower, during the 1952 presidential race, was "slanted." But, he says, "it was not outrageous, and it did not do violence to my own views. Besides, I told myself that I was merely a craftsman, like a carpenter who would build a chest or table to specifications." The analogy is false: reporters who write to order are not craftsmen but hacks. Their true role at *Time* was admittedly hidden by the fact that they were just cogs in a huge news-processing machine. But even so, many sacrificed their principles on Luce's altar. Murray Kempton put it trenchantly in 1964: "As a slaughterhouse of moral integrity, *Time* is the Verdun of the young."

Grunwald confesses to few qualms of conscience. Sharing Luce's views on many subjects, he seems in some ways to have modeled himself on the self-styled "skipper" of the "Ship of Public Opinion." Like Luce, he loved *Time*-traveling — going off on long fact-finding journeys. He even entertains the notion that journalism is "the ultimate tourism." Sustained by a generous expense account — *Time* did not balk at paying for "orchids and caviar for Maria Callas, as well as pâté for her poodle" — Grunwald indulged his curiosity and delivered himself, on his return, of Lucubrations.

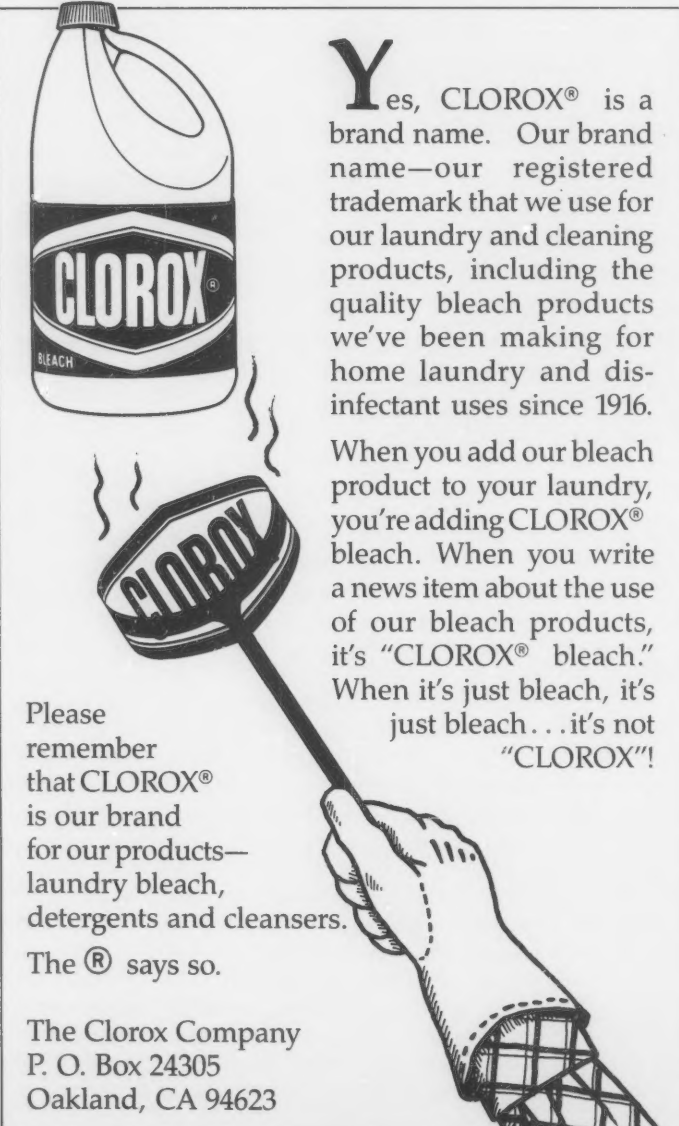
Grunwald also resembled Luce in putting his career before his family — one of Grunwald's children complained that he was "not so much raised as edited." Moreover, he took *Time* almost as seriously as did his boss, though even Grunwald was surprised at Luce's manner of marking the magazine's fortieth birthday in 1963. The theologian Paul Tillich was invited to give an oration, which he portentously entitled: "The Human Condition in Relation to the Anniversary Celebration of *Time* Magazine."

Nevertheless, it is apparent that

Grunwald has misgivings about his past. He had a particularly hard time during the managing editorship of Otto Fuerbringer, a reactionary autocrat known as the "Iron Chancellor" when Grunwald was *Time*'s foreign editor. Fuerbringer tried to create *Time* in his own image and thus, according to Matthews, "tortured" Grunwald, though Grunwald himself denies this. But Grunwald does feel guilty about the racial attitudes the magazine manifested during the 1960s, both in print and in the office — one black writer felt so persecuted that he carried a knife to work. Grunwald also regrets his complacency about "the limits *Time* put on its female employees." Actually he still seems somewhat unreconstructed in this department. He recalls wondering aloud to his wife during a famous feminist debate whether anyone dared to tell Germaine Greer, "You're beautiful when you're angry." Oh, dear.

Matters improved in 1968, when Grunwald took over from Fuerbringer and instituted a gradual thaw. He listened to his writers, taking them on a retreat to Bermuda where they raged against journalistic tyranny and an editorial bureaucracy that mangled their ideas and maimed their copy. One writer, Ted Kalem, said that in most cases "the senior editors saved a story by amputating an arm, adding a third leg, and producing a monstrosity." Grunwald sympathized. He gave writers a freer rein and introduced bylines. Learning from *Newsweek* and seeking to complement television, he encouraged longer and more analytical articles on a wider variety of topics. By 1969, Richard Pollack opined, Grunwald had "put the Mighty Wurlitzer in tune." *Time* had become "a respectable magazine for the first time in its history."

One sign of respectability was its change of direction over Vietnam. Grunwald had maintained, in the words of a headline which came to haunt him, that America was fighting "The Right War at the Right Time." But by 1969 he admitted that it was an error, though not a "crime or sin." Similarly he turned against Nixon over Watergate. Actually *Time* was so tame that none of its minions was included in the presi-



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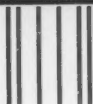
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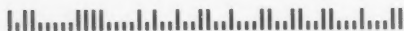
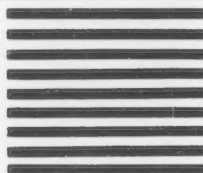
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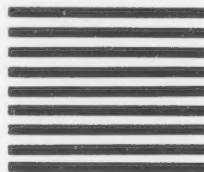
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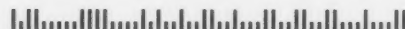
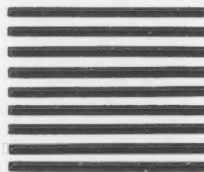
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dent's "enemies list." But Grunwald was perturbed by the scandal because it cast doubt on the fundamental decency of the United States. In November 1973, when Agnew was safely out of the way, he called for Nixon's resignation on the ground that he had "irredeemably lost his moral authority."

Clare Luce, always contemptuous of her late husband's "little people" at *Time*, objected. More, she expressed her disgust at the "hubris of America's only Untouchable Institution, the Press." Grunwald was unmoved. He liked to cite the jurist Irving Kaufman, who said that journalists were like judges: "They sustain democracy, not because they are responsible to any branch of government, but precisely because, except in the most extreme cases, they are not accountable at all."

Time's irresponsibility was widely condemned after the so-called "blood libel" against Israeli defense minister Ariel Sharon, whom it accused of being "indirectly responsible" for a massacre at two Palestinian refugee camps in 1982. This was an unhappy case but Grunwald argues persuasively that *Time* was on much better ground than its critics appreciated.

It remained the voice of Middle America, the Main Street Gazette. It was largely staffed with "organization men." Indeed, the able young journalists tended to leave because they were made to feel like junior executives at Unilever, though at *Time* office affairs seem to have been rife despite difficulties of consummation — one researcher about to be bedded on an editor's cluttered couch cried out, "Oh no! Not on top of the Jewish encyclopedia!" *Time* itself became part of a huge conglomerate in 1973, though efforts were made to keep the business and editorial sides apart. Himself a "neoconservative" corporate climber, Grunwald reached the top of the journalistic greasy pole in 1979. His friend William Buckley wired, "Congratulations! Together we can rule the world." Grunwald replied, "Thanks for including me."

Grunwald's commercial ventures, such as the launch of the science magazine *Discover* and the short-lived *TV Cable Week*, were not conspicuously successful. But his career came to a neat and poignant conclusion when, on

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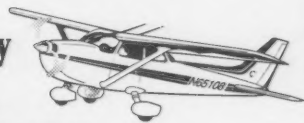
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his retirement in 1987, Ronald Reagan appointed him ambassador to Austria. On presenting his credentials to President Waldheim in Vienna he firmly refrained from smiling.

Journalists who accept plum jobs from politicians place themselves in an equivocal situation, as Grunwald recognizes. He writes that a journalist should not aspire to celebrity status: he must never forget that "he is only an observer and, almost by definition, an outsider." As an immigrant, Grunwald had felt himself to be an outsider. But he was clearly ambitious to get in and to associate on equal terms with insiders. When *Time's* art critic Robert Hughes encountered Grunwald and Henry Kissinger in an elevator, he exclaimed, "Ah! If it isn't Tweedledum and Tweedledee!" As ambassador, Grunwald arrived at the heart of the establishment. Yet once again — to end on the worried note that echoes through this absorbing book like a discord in a sonata — he was uneasy about his position.

Books as News

The Race Card

By Tom Goldstein

What did Jeffrey Toobin know, when did he know it, and how did he find out that O.J. Simpson's lawyers might play the race card?

Several authors and trial participants, including Toobin himself, have recently weighed in with their versions of how Toobin became the first writer to publish an article mentioning the possibility that racist police framed O.J. Simpson for the murder of his ex-wife and her friend Ron Goldman.

The article, "An Incendiary Defense," appeared in *The New Yorker* in July 1994, barely a month after the murders, and it had enormous impact. Maurie Perl, *The New Yorker's* chief publicist, computed that, based on Nielsen ratings, 170 million people heard a reference to it in the first two days after it was published.

In the article, Toobin cited unnamed "leading members of Simpson's defense team" as "floating" the theory that Mark Fuhrman, a rogue cop, was an integral part of a police conspiracy. In his book, *The Run of His Life: The People v. O.J. Simpson*, Toobin discloses how he got that story. His version, however, is at odds with every other participant's recollection.

It is *Rashomon* all over again.

Tom Goldstein teaches at the Graduate School of Journalism at the University of California, Berkeley. He will become dean of Columbia's Graduate School of Journalism in July.

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The 1996 winners for reporting that occurred in 1995 were:

David Cay Johnston, *The New York Times*
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Cassie Seifert, *Nightly Business Report*
Warren Boroson, *The Record*
S.A. Reid, Gertha Coffee, Sheila Poole,
Tammy Joyner, *The Atlanta Journal Constitution*

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Version 1 —

Jeffrey Toobin's Busy Day

In his book, Toobin described the genesis of his *New Yorker* story:

On Tuesday, July 12, 1994, Toobin hopped on an airplane for Los Angeles. He did not know what to expect. He did not know how to spell Mark

him straight and within minutes Shapiro bared his strategic soul, telling Toobin of the defense claim that Fuhrman may have planted the incriminating bloody glove on Simpson's property.

Still on Wednesday, Toobin drove to Culver City, where he debated Mike Walker of the *National Enquirer* on the radio about an unrelated topic. Finally, he drove to *The New Yorker's* Los Angeles office, where he wrote up a draft of his 4,700-word article and faxed it to the editors in New York.

Version 2 —

Professor Scorns Ex-Student

In his book about the trial, *Reasonable Doubts*, Dershowitz mentions Toobin, his former law student, only once in passing. But in a withering letter to *The New York Times Book Review*, published October 20, 1996, Dershowitz protests: "Mr. Toobin did not receive a tip from me, as he now claims in his book. I received a tip from Mr. Toobin. I knew absolutely nothing about Mr. Fuhrman's racist past until Mr. Toobin told me about it."

Toobin concedes the last point: Der-

THE RUN OF HIS LIFE

THE PEOPLE
V.
O. J. SIMPSON

JEFFREY
TOOBIN

Fuhrman's name, and he had not been able to get an appointment with Robert Shapiro, who at that time was running Simpson's defense. All he had was a tip from Alan Dershowitz, a defense team member, that Fuhrman was a liar. In a "brief" telephone conversation, Toobin writes, Dershowitz went on a "lengthy tirade" about the detective, comparing him to Oliver North: "He sounds like Oliver North, looks like Oliver North, and lies like Oliver North."

The next day, Wednesday, was a remarkably productive one for Toobin, a former prosecutor. First, following up on Dershowitz's tip, Toobin called a *New Yorker* fact-checker to find out how Fuhrman's name was spelled. He then went to the Los Angeles County Courthouse, where he discovered that Fuhrman once had sued the city. He walked across the street and found the case file, which showed Fuhrman to be, in Toobin's words, "the archetype of the bigoted, bullying L.A. cop."

After this reporting coup, Toobin drove to Shapiro's Century City office. He had no appointment, but circumvented security, sweet-talked Shapiro's secretary, and found himself with Shapiro, who confused *The New Yorker* with *New York* magazine. Toobin set



PRIVATIZATION CONFERENCE PROCEEDINGS

Last July, many of the nation's leading experts on the privatization of government assets assembled for a one-day conference in Washington, D.C., sponsored by Americans for Responsible Privatization, the American Enterprise Institute and the National Tax Limitation Committee.

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- ✱ Contracting-out government operations
- ✱ Privatizing government services and the use of ESOPs
- ✱ Selling federal businesses: the power marketing administrations and the Uranium Enrichment Corporation
- ✱ Privatization in progress: Elk Hills Naval Petroleum Reserve

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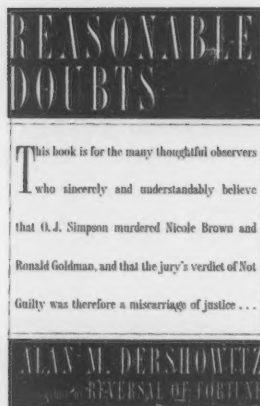
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showitz did not know of Fuhrman's past until Toobin informed him. However, in an interview, Toobin said that it was "simply wrong" for Dershowitz to claim he had not given him a tip to check out Fuhrman.

Version 3 — Robert Shapiro: Cunning Media Spinner?

Two other recent books present a very different interpretation of how Toobin found the Fuhrman file. In these books, Dershowitz plays no role, and Shapiro is credited with cleverly manip-

ulating the *New Yorker* writer.

In their detailed book, *American Tragedy: The Uncensored Story of the Simpson Defense*, Lawrence Schiller and James Willwerth write that as soon as Shapiro heard about Fuhrman's background, he put his "skills to work" during an interview with Toobin. The authors continue: "Shapiro suggested that Mark Fuhrman was a 'racist cop,' and Toobin found the material to support Shapiro's statements."

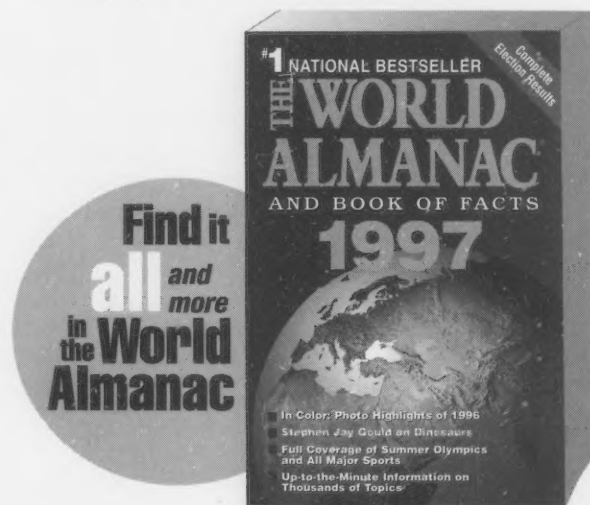
Johnnie Cochran is much more direct. In his book, *Journey to Justice*, Cochran, who replaced Shapiro as lead lawyer, introduces Toobin as "a reporter

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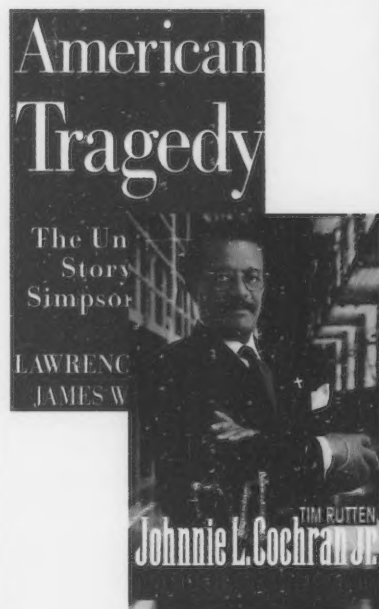
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was the last Democrat before
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for whom I have little respect and do not trust." He then says that Shapiro began "spinning" his defense by briefing Toobin on what was known about Fuhrman. "He let drop that the detective's incriminating comments were contained in the public record of his disability suit against the city," Cochran writes. "It didn't take much imagination to suspect that Toobin — himself an inexperienced [sic] lawyer and former federal prosecutor — wouldn't have much trouble obtaining the information directly."

(This of course is speculation — the type of hearsay or second-hand information that Cochran would have a hard time using in court.)

Cochran then recalls how Shapiro "several times smugly recounted the

whole sequence as further evidence of his dexterity in handling the media." To him, this shows Shapiro at his hypocritical worst, for it was Shapiro who at trial's end accused Cochran of "dealing the race card."

Version 4 —

Robert Shapiro: Sucker-Punched?

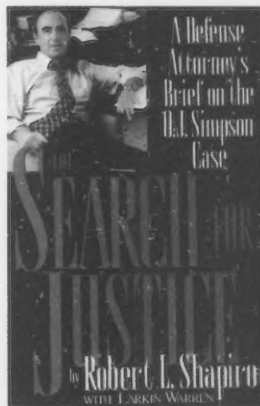
In contrast to Cochran's acidic assessment, Shapiro, in his own book, *The Search for Justice*, paints a vastly different picture of himself.

If anything, he portrays himself as a victim of the press, hardly a skilled manipulator of reporters — the image he so carefully cultivated over the years (see "How O.J.'s Chief Strategist Works the Press: Secrets of a Celebrity Lawyer," *CJR*, September/October 1994).

In his book, Toobin says that his interview with Shapiro was unplanned and that "we had never discussed ground rules." Shapiro remembers differently. He said he welcomed Toobin to drop by his office for a talk, but "made it clear that the discussion was off the record."

Therefore, he was "appalled" when

he saw the article in *The New Yorker*. "I felt like I'd been sucker-punched. This was exactly why I hadn't wanted to talk to Toobin, or to anyone else in the press." For someone who brags about his handling of the media, Shapiro



shows a stunning naiveté. "I believed that my conversation with Toobin was exactly that — a conversation, off the record, between two professional people talking about potential strategies."

Sucker-punched? According to

Toobin, who is now on good terms with Shapiro, on the day *The New Yorker* appeared, Shapiro called another Simpson lawyer, F. Lee Bailey, in London and said: "It's over. I won the case."

Since there are no tapes of these crucial conversations, it is hard to say who is telling the truth, who is shading it, who has a bad memory, and who is just plain lying. But several lessons for journalists do suggest themselves:

1. Once reporters conceal the identity of their sources, they should think twice about disclosing those identities later.
2. Tangle with Alan Dershowitz at your peril. The formidable professor has a long history of answering, on the record, his critics, including this reporter, who fourteen years ago reviewed a Dershowitz book critically. (I tried to reach Dershowitz for this article, but he never called back.)
3. When seasoned lawyers are doing the writing, expect zealous advocacy, not necessarily the truth.
4. If journalism is history's first rough draft, then logically books should be the second draft. But all bets are off when it comes to the O.J. Simpson case. ♦



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SHORT TAKES

WAR CASUALTY

Our society's blind worship of success assumes that only those who pass that ultimate test are worthy of attention and respect. In the eyes of many I did fail, through my own faults and errors, and am therefore disqualified from sharing in my nation's life and debate.

If so, it is a harsh penalty. For, in my own eyes, I *chose*, under intolerable conditions, not to be reduced from the status of a candidate to that of a media celebrity. I refused to participate in a culture which destroys leadership and demeans debate. The invasive and belittling scrutiny of political leaders, placing all their faults and failures on public display, is justified by the media as fulfilling their responsibility to protect the country from inferior leaders. Does anyone believe, since the media assumed this authority, that the caliber and quality of leadership has risen, that we have wiser, stronger, or more visionary leaders?

No. Rather, the media is waging a war, perhaps unconsciously, on political leadership and on that dignity that is essential to leadership. Their motives for this are complex and unclear, even to themselves. Some dislike the inequalities inherent in republican government. Some are driven purely by competitive commercial pressures. Some feel superior to the subjects they cover. Some resent authority. Some seek acclaim and professional reward. Few know their motives, but all should care, because our nation is at stake.



I refused to submit to a media inquisition that destroys leadership and to a celebrity culture that prefers sensational exposé to serious political discourse. It is a simple fact that we will have no great leaders while this irrational war continues.

FROM **THE PATRIOT: AN EXHORTATION TO LIBERATE AMERICA FROM THE BARBARIANS**, BY GARY HART. THE FREE PRESS. 187 PP. \$21.

EVENING THE SCORE

I confess that a very satisfying moment for me as a player was watching two of my Falcon teammates turn a writer upside down and dump him head first into a smelly trash can. He wrote some bad things about them and they ambushed him the next day in the locker room. It wasn't done good-naturedly. They hated him and they wanted to dump him into that bin of fetid, used ankle tape and oozing gobs of human expectorant. It seemed appropriate after the words the writer had spit out at them. For the first time I'd ever seen, a writer was taken to task for the things he'd written. Most times writers will verbally lambaste a player and then appear the very next day strolling through the locker room, the domain of the players, with the diplomatic immunity of a statesman from some despicable terrorist country.

Of course, the writer who got trashed was correct in his assessment of the two players who got him. Essentially he wrote that they were boobs, and he was right. They proved it further by dumping him in the trash. He was a pretty decent guy too, and I'm kind of ashamed that I enjoyed it. But it was just the notion of one of "them" getting a little medicine to go along with the stuff they are constantly dishing out that made me forget myself.

FROM **THE DARK SIDE OF THE GAME: MY LIFE IN THE NFL**, BY TIM GREEN. WARNER BOOKS. 272 PP. \$19.95.

THE POLS ON THE PLANE



USA BERG

A couple of weeks later, I accompanied President Reagan on his August vacation to California. The morning of the flight, I picked up a copy of the staff manifest and found that my regular seat assignment on Air Force One had been changed. There's a long-established pecking order on the presidential aircraft: the president's quarters are up front; then comes a line of compartments for the chief of staff, senior staff, other staff, guests, and the Secret Service. The press pool sits in the back of the bus.

I checked with one of Deaver's aides, who told me I'd been moved from the senior staff area to the guest section on Jim Baker's order. But it was only for one leg, I was assured.

I couldn't figure out why I'd been moved until Doug Brew of *Time* magazine sat down next to me. I asked why he wasn't in the back of the plane with the press pool. He told me *Time* was doing a cover story on the 1982 elections, and he had an interview with Baker en route to California. Half an hour after takeoff, Margaret Tutwiler came back and escorted Doug to Baker's cabin, where he spent much of the trip. The light bulb went off in my head: Goddamn, I'm being set up. If there's anything in Brew's piece that isn't flattering or is too revealing, Baker has the perfect alibi: What do you expect? The guy sat next to Rollins on Air Force One.

When we landed in California, I was steaming. As we deplaned, I couldn't resist needling Baker on the square. "Baker, you bastard, I hope you made me sound brilliant," I smiled.

"Rollins, you never sounded so brilliant," Jimmy said, grinning.

FROM **BARE KNUCKLES AND BACK ROOMS: MY LIFE IN AMERICAN POLITICS**, BY ED ROLLINS WITH TOM DEFRANK. BROADWAY BOOKS. 386 PP. \$27.50.

SOLOMON IN THE NEWSROOM

One day while I was editor of the *Chicago Tribune* two particularly noteworthy people died: entertainer Sammy Davis Jr. and puppeteer Jim Henson. The question that evening was whether either or both obituaries belonged on the front page of the paper, and the editors had the kind of spirited debate about this issue that should be a journalist's joy. Some argued that neither story belonged on the front page, reflecting a narrow view of the newsworthiness of obituaries that I was trying to change. There was some sentiment for putting Sammy Davis Jr. alone on page one and Jim Henson on the obit page in recognition that Davis was the first black entertainer to present himself publicly as the social equal of white entertainers (though the "Rat Pack" with which he ran — Dean Martin, Frank Sinatra, Peter Lawford — was of dubious stature). Others argued that Henson alone belonged on page one because by creating *Sesame Street* he fundamentally changed the most important educational force in contemporary life — television. This made him a figure of vast influence, it was argued, well beyond mere celebrity or symbolism. . . .

After hearing all the discussions I decided to put the Henson obituary on page one along with a good-sized photo of Davis and a line indicating that the story of his death could be found on the obituary page.

You will probably not be surprised to learn that this judgment was not universally recognized as Solomonic. . . . The prevailing view seemed to be that the paper should have treated the two stories equally, that anything less showed that the newspaper lacked respect for African-American culture.

I was ready to admit that I might have wrongly decided the issue for one reason or another (including, I suppose, a blindness owing to my race). . . . What I refused to concede, though, was that absolute equality of treatment of these two stories represented journalistic virtue. . . .

I do not know that the conversations I had about this issue changed anybody's mind about the adequacy of my decision on the play of the obits. But they did open my mind to the recognition that I had probably undervalued the impact Sammy Davis Jr.'s success in the white entertainment world had on the black community. At the same time, I hope I got my message across. As we embrace a greater variety of experiences and attempt to speak to people from more diverse backgrounds, we have an obligation to state clearly what we think is true and what we think is most important. . . .

It becomes more difficult to reach these conclusions as we become more diverse because we need to discuss assumptions we previously took for granted. And getting those discussions to work isn't simple, either. We have to create the conditions in which candid conversations can take place. But greater diversity should permit us to make the judgments better, once we work through the difficulties. It should permit us to be even more authoritative, coherent, and confident in the statements we make about matters of value.

FROM **NEWS VALUES: IDEAS FOR AN INFORMATION AGE**, BY JACK FULLER. UNIVERSITY OF CHICAGO PRESS. 251 PP. \$22.95.



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The Lower case



The missing piece of the Simpson puzzle

The Charlotte Observer 11/22/96

Consumer group frowns on restaurant safety

Deseret News (Salt Lake City) 11/14-15/96

Army Focuses On Second Base In Sex Probe

San Francisco Chronicle 11/12/96

Now, dead even in Georgia

The Atlanta Constitution 11/1/96

Weiland gets cocaine, heroin charges dropped

The Atlanta Constitution 10/31/96

Judge delays ruling on paddling principal

The Indianapolis Star 11/9/96

New drugs may contain AIDS, but not all can afford them

The San Diego Union-Tribune 9/21/96

Mother of all deadbeat dads gets six months in prison

Wisconsin State Journal 11/7/96

A record walker admits she skipped 1,000 miles

The (Wilmington, Del.) News Journal 11/4/96

56-year-old man shoots shoots daughter twice

The Brownsville Herald 11/8/96

Dole urges voters to cast their ballots for Democrats

The (Baltimore) Sun 11/5/96

Mad cow speaker at Arts Center

The Island Packet (Hilton Head Island, S.C.) 11/17/96

Man set ablaze as a child moves on

San Francisco Examiner 9/21/96

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